

**CLARK COUNTY PLANNING COMMISSION
MINUTES OF PUBLIC HEARING
THURSDAY, May 20, 2004**

BOCC Hearing Room
Public Service Building, 6th Floor
1300 Franklin Street
Vancouver, WA

6:30 p.m.

CALL TO ORDER

The public hearing of the Clark County Planning Commission was called to order at 6:30 p.m. by Chairman, Vaughn Lein. The hearing was held at the Public Services Center, BOCC Hearing Room, 6th Floor, 1300 Franklin Street, Vancouver, Washington.

ROLL CALL

Planning Commission Present: Vaughn Lein, Chair; Lonnie Moss, Ron Barca, Dick Deleissegues, Carey Smith, and Jada Rupley.

Planning Commission Absent: Jeff Wriston, Vice Chair.

Staff Present: Bob Higbie, Assistant Long Range Manager; Rich Lowry, Chief Deputy Prosecuting Attorney; Sandra Towne, Planner III; Gordon Euler, Planner II; and Sonja Wiser, Administrative Assistant.

Other: Cindy Holley Court Reporter.

GENERAL & NEW BUSINESS

A. Approval of Agenda for May 20, 2004

The agenda for May 20, 2004, was approved as distributed.

B. Communications from the Public

None.

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION

A. ADOPT AN AMENDMENT TO CCC TITLE 40, CLARK COUNTY UNIFIED DEVELOPMENT CODE:

Clark County adopted CCC Title 40, the Clark County Unified Development Code, effective January 1, 2004. Five sections, Sections 40.630.080 through 40.630.120 which should appear at the very end of Title 40, were inadvertently left out. This is not new ordinance language. Previous to the adoption of Title 40, these sections were Sections 18.65.150 through 18.65.180.

The draft ordinance is available on the county's web page at www.clark.wa.gov under Community Development/Long Range Planning/ Title 40 Unified Development Code/40.630.080-120.

Staff Contact: Gordy Euler, (360) 397-2375, Ext. 4968.

EULER: Yes. Thank you, Mr. Chairman. For the record, I'm Gordy Euler with Long-Range Planning, Clark County. The first item to bring before you is a housekeeping measure. We discovered in copying Title 40 that the version that we had differed slightly than the version that the Board actually adopted and went with the ordinance, that there were five short sections of which you have copies of were left off the end of the document and Rich Lowry informed us that we needed to run this back through you for a recommendation to add these. This is no new language, but language nevertheless that needs to be there. These were just sections that did not get attached to the --

LEIN: Excuse me, Gordy, can people hear? Yes and no. Okay. Try to speak up.

EULER: More or less. So our recommendation is that your recommendation be that we add these, make sure of that these five sections are included in the finally adopted version of Title 40.

LEIN: And those were the five that we did receive the E-mail on as well as the copy tonight?

EULER: That's correct. And they were -- they're right at the tail end. And again we don't, don't know where they went, but we know that they need to be there.

LEIN: Okay. Is anyone wishing to testify on these four sections? They include the impact fee fund, interlocal agreements, expenditures, refunds and impact fees additional and supplemental requirement. If no, we'll return to the Planning Commission. Questions of staff? A motion?

DELEISSEGUES: Excuse me, did people know we were going to vote on this or hear this tonight?

EULER: We --

DELEISSEGUES: Was this noticed? I mean did we --

EULER: Yes.

DELEISSEGUES: I didn't even know we were going to hear it tonight, I don't know how anybody else could.

WISER: It was sent out as an E-mail.

EULER: It was properly noticed.

DELEISSEGUES: Okay. Thank you.

BARCA: Do you want time to go through it? No?

DELEISSEGUES: No.

BARCA: Then make a motion.

DELEISSEGUES: No.

RUPLEY: Go ahead.

LEIN: Go ahead.

RUPLEY: Go ahead.

BARCA: Okay. I'll make a **MOTION** that we go ahead and **adopt** the five items listed by County staff for the modifications as written.

LEIN: Is there a second?

SMITH: **Second.**

LEIN: Any discussion? Could we have roll call, please.

ROLL CALL VOTE

MOSS: AYE

BARCA: AYE

SMITH: AYE

DELEISSEGUES: I vote NO

RUPLEY: AYE

LEIN: AYE

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION, continued

B. 2004 Dockets-(Site Specific Requests) amending the 20-Year Growth Management Comprehensive Plan:

D2003-071 (Hilberg, Mildred & Woodruff, V.) The property owners are seeking to redesignate and rezone parcels 105459-010, 105459-005, 105459-000, and 105455-000 for a total of approximately 8.5 acres from Community Commercial (C-3) to Urban Medium (R-18) located in the vicinity of NE 94th Avenue and NE 76th Street. Staff Contact **Sandra Towne, (360) 397-2375, Ext. 4544**

LEIN: Continuing on, then, with the 2004 dockets.

TOWNE: Good evening. Sandra Towne from Development, Community Development, Clark County. I'm first going to just give a real quick overview staff report and then from there we'll go into each one of the dockets. And if you'll notice your very large notebook in front of you, we're going to -- we're hoping to cover I think it's 11 for tonight and so we'll just start after the first overview staff report, then I'll give a brief staff report as well on each one of the dockets. I'll do seven of them and then Gordy Euler will be picking up four of them after that.

Each year the Clark County Comprehensive Growth Management Plan which was adopted in 1994 is able to be amended and that amendment process, docket and annual review process, has been suspended by the County Commissioners because of the update process that we're in the middle of, and although because of that update process we had another collection of requests which we called site-specific requests and in that comprehensive plan update process the County received approximately 290 of those. And the site-specific requests will be considered, and have been considered, in conjunction with a selected preferred alternative, but the preferred alternative plan calls for additional urban lands. Those requests adjacent to and very near existing urban growth boundaries will be considered within that alternative. But those requests that were unrelated to the expanded urban growth areas, which were those far out in the rural area or those that are in the existing urban area, those weren't to be considered as part of the comp plan update.

So in a work session on February 11th of this year the Board of Commissioners determined to consider 25 of the requests that were and are located inside the existing urban growth area and to consider them as dockets and that's what will be before you in the next four public hearings. We've split them up because there's so many. All 25 have been noticed and legally noticed. They have all gone through SEPA review and have been determined nonsignificant determinations. The review criteria, each one of the dockets the staff will provide a recommendation and that recommendation is based on the consistency of goals and policies of the Growth Management Act, countywide planning policies, community framework plan, the comprehensive plan and any other

plans that go, fall under any -- fall under the comprehensive plan such as the arterial atlas, et cetera. Any questions?

So let's turn to the first one, and behind Tab 1, we call the Hilberg, Woodruff, Docket D2003-071. The applicant is requesting a plan amendment and zone change from community commercial designation with a C-3 zone to urban medium residential R-18. And that is for three parcels and so there's a correction that you need to make. It's actually only for three parcels and the parcel that you need to cross out is the second one, 105459-005. Please cross that out, it's not included in this request, it was an error. If you want to take a look at the map that's up on the screen, the parcels are behind and surround an existing older commercial area. I don't have a pointer and it would really be nice to have one.

LEIN: Sandra, if that works.

BARCA: Gordy can point.

EULER: Yeah.

TOWNE: Do you want to try that, Gordy, and see if that works for us.

EULER: Yeah. Sure. Just tell me where.

TOWNE: The three parcels with the black dots, those surround the existing C-3 zoning which is an older commercial area that is already developed in commercial. The sites are in the area of what they call the Five Corners of 76th and 94th, 76th Street and 94th Avenue. The total acreage is 8.5 acres. And if you see the little X just north of that R-18 zoning, if you could point to that, Gordy, there's a little X on a black dot, that's the parcel that I told you is not included.

Staff recommends approval of this request and we recommend approval because the proposal's consistent with the countywide planning policies and community framework plan policies, as well as we find that it is consistent with the GMA goals. The 20-year comprehensive plan calls for -- their goals calls for more compact and efficiently served urban form and for land use patterns and individual developments to integrate in location and function to reduce sprawl, promote pedestrian and transit use, and limit the need for automobile trips. We find that this proposal would do just that. It would be changing eight and a half acres from C-3 zoning. It's vacant land, we would be changing it from commercial to a medium urban use, urban medium residential use. And as you can see on the map there's already a fair amount of existing commercial. Gordy, if you can continue to point, that would be great.

EULER: Why don't I put the aerial on.

TOWNE: And let me know if, if I'm being -- if I'm difficult to follow, let me know.

RUPLEY: Okay, you're making us sick, Gordy.

TOWNE: We might have to darken or turn some lights down because that's really difficult to see.

EULER: The three parcels are here, here, here.

TOWNE: Okay. And you can see this existing C-3 zoning and all of the -- this is all existing commercial. This is existing commercial all through here. Okay. Vacant except for the one house being request to be R-18. The proposal is adjacent to several existing commercial establishments as I mentioned and the site is also located between existing residential area, large R1-6, all this is R1-6 zoning through here, and this is all R1-6, this is all R1-6 through here, and so it's an appropriate use we believe between the urban low residential and commercial to have additional R-18 zoning. In addition, adding those eight and a half acres you have a smaller piece of R-18 here. This would create a larger cluster of R-18 that would be much more feasible to develop as a -- and have a true urban medium development. Is there any questions?

MOSS: Sandra, the strip that was to be removed, or excuse me, the parcel that was to be removed appears to be that little strip that stretches from 94th Avenue all the way back to the west to that development; is that correct?

TOWNE: This piece right here?

BARCA: The X, yeah.

TOWNE: Yeah. Uh-huh.

MOSS: The X. Does that strip not run all the way over through the C-3, through the existing commercial zoning, to 94? Aren't those parcel lines there?

TOWNE: No, it doesn't, but --

MOSS: What are those? They appear on all the maps.

TOWNE: Oh, gee, I wish I had the, it's -- it looks like a parcel line but it's not a parcel line.

MABREY: It's an easement.

TOWNE: It's a, yeah, there's an easement line there I think.

MOSS: It certainly appears to be a parcel line on the map that accompanies this --

TOWNE: Right.

MOSS: -- quarter section map.

TOWNE: Yeah, I, for some reason I -- I'm not able to remember. Yeah. I can't really answer that right now. I'm sure it's not a parcel but --

MOSS: I guess what my question specifically is concerned about is if we're making R-18, well, I don't know if the public is looking at the same exhibit that we are out here in front --

TOWNE: Yes, they are.

MOSS: -- but we have a red dot on a parcel, the L-shaped parcel.

TOWNE: Yes.

MOSS: And then the black dots on the parcel to the south and it seems like the effect of this may be that we're leaving a strip of C-3 land in between those two R-18s and I wouldn't want to do that.

TOWNE: Right. And I agree with you. And I'm sorry I can't address directly what that is, but as you see if you -- that line goes right through. See, this isn't a parcel line and I'm trying to remember what it is.

MOSS: Well, it appears on the map that it's like a public right-of-way --

TOWNE: Right.

MOSS: -- but there isn't a road there.

TOWNE: Right. But that's what I was saying, I believe that's what it is, but I can't answer it. I forget.

MOSS: That's a question I'm sure that the owners of these parcels, the proponents just may --

TOWNE: Would want to know.

MOSS: -- want to address here.

TOWNE: Right. Good. I'll be sure and get that answered.

BARCA: So we're doing this within the context of meeting the goals and policies of GMA to try and integrate the location and function to reduce sprawl, promote pedestrian and transit use, limit automobile trips. What types of services are already provided at this existing C-3 that says that this area if it was developed as commercial wouldn't actually be benefiting the surrounding area greater than having more houses on it?

TOWNE: It's, you know, it could be additional commercial. We feel like there's already this entire area is commercial with a lot of different uses. This has a real mix of use. I

can't tell you every single thing that's in it at this time. It is an older commercial and we - commercial use and I could actually see this possibly redeveloping, that this, this would be an area that could redevelop in the future and additional housing clustered around it could actually help revitalize the area as well.

I, you know, I can't answer that additional C-3 would or wouldn't also serve the existing R1-6 in that area, but I guess I think a more, a more important question, a more important answer is that this is all R1-6 and urban medium is not real easy to find places for urban medium density. There's already a small piece here, there's already a small piece here, this is all vacant and it's a perfect transition between urban low and more intense commercial use, so I look at it that way.

BARCA: So it's a good buffer?

TOWNE: Yes. Or transition I would prefer saying.

BARCA: Well, what is the existing C-3 acreage on that parcel?

TOWNE: This is over five acres, I know that. I'm not sure exactly how much.

BARCA: Yeah, can Gordy. So that existing C-3 that's there that's over five acres and we're -- well, yeah, I guess it would have to be if we're looking at adding eight.

TOWNE: This is eight and a half right here so you can see how large this is already and how much there is already down here. And you also want to remember this is Covington so you as you move down just very a little bit off the map you have quite a bit of additional, you have Fourth Plain, you have a tremendous amount of commercial.

LEIN: Any more information?

TOWNE: One thing I did leave out is that the transportation analysis showed that there would be actually less impact to the Clark County system if it was R-18 versus all of that going C-3, as well as all the urban facilities are existing on-site, so it's consistent to that criteria as well.

LEIN: Any other questions of Ms. Towne? Is there a representative of the applicant here? If not, is there anyone wishing to testify for or against this?

AUDIENCE: We're here but we don't have anything to say, but if you have any questions we'd be glad to answer them.

LEIN: Okay, thank you. Anyone here wishing to testify for or against this application? If not, return to the Planning Commission. Desires of the Commission? Questions?

MOSS: I still have some real concerns about the effect of what we're doing and if that is, that parcel is a strip, you know, I hate to see us leave a strip of C-3 land in between two R-18 zones.

TOWNE: What we could do is you could move forward with the caveat that that needs to be researched and make sure that that's not what it is, is a separate parcel, that would be doing what you're saying affecting it.

MOSS: Yes. Right.

HIGBIE: Or regardless of what the ownership is, make sure it stays in the same zoning that you're recommending.

MOSS: Well, I think that would be my recommendation, that would be if that's one ownership all the way through there, that would mean that this parcel would be split zoned, but in fact it's already split zoned if that's the case so.

LEIN: Any other questions? Comments?

DELEISSEGUES: Well, in our motion can't we just recommend that it be contiguously zoned R-18?

MOSS: Yes, we can.

LEIN: Yeah, correct.

MOSS: Was that a motion?

BARCA: That was close to a motion.

DELEISSEGUES: So **moved**.

LEIN: Is there a second to the so moved?

RUPLEY: Second.

MOSS: I'll second.

LEIN: Could we have roll call, please.

ROLL CALL VOTE

MOSS:	AYE
BARCA:	I'm going to vote NO
SMITH:	AYE
RUPLEY:	AYE
DELEISSEGUES:	AYE
LEIN:	AYE

B. 2004 Dockets-(Site Specific Requests) amending the 20-Year Growth Management Comprehensive Plan:

D2003-029A (Poulsbo RV Center) The property owners are seeking to redesignate and rezone parcels 117800-000, 181901-000, 181938-000, 181942-000 for a total of approximately 7.65 acres from Community Commercial (C-3) to General Commercial (CH) located on Union Ridge Road near the intersection of NE 179th Street and Interstate-5. Staff Contact **Sandra Towne, (360) 397-2375, Ext. 4544**

D2004-136 (Jollies's Restaurant/tavern) The property owners are seeking to redesignate and rezone parcels 181932-000, 181979-000, 181914-000 for a total of approximately 3.10 acres from Community Commercial (C-3) to General Commercial (CH) located at eastern intersection of NE 179th Street and Interstate-5. Staff Contact **Sandra Towne, (360) 397-2375, Ext. 4544**

TOWNE: Okay. Moving on to the second one docket behind Tab 2, Docket 2003-029A, Poulsbo RV Center. Before I dive into this staff report I'd like to note that both behind Tab 2 and behind Tab 3 we have two dockets that are right next to one another. The Poulsbo RV Center is the first one we'll talk about, the second one is the Jollie's Restaurant Truck-Stop. So it's very important that they are separate dockets so we do need to vote on them separately and look at them separately, but at the same time you also need to look at them together I think to help you make decisions because they're pretty much the same argument goes for both of them.

The map before you is the Poulsbo RV. And just to let you know, see, you can see altogether, these parcels where -- the red dot would be the Jollie's Restaurant parcels. Okay. Right now you're looking at the Poulsbo RV Center parcels with the four black dots on them. The applicant is requesting a plan amendment to change from community commercial with a C-3 zone to general commercial CH highway zone, highway commercial zone. The RV Center parcels are surrounded by community commercial C-3 zoning on the northeast and the south. As you can see, this is all C-3. To the west is NE Union Ridge Road right along I-5 and a very large area of general commercial CH zone is located west of I-5 from the subject parcels which incorporates - this is the entire Fairgrounds, Expo Center area, this is all CH, existing CH. The subject parcels prior to 1994, this area was zoned CH zoning.

Staff does recommend that the Planning Commission forward an approval to the Board based on the following findings: We find that the parcel is -- that the request is consistent with GMA goals, also with the countywide policies and the community framework plan policies. The proposal responds to long-term commercial use of the proposal and a supply of suitable land for more difficult to locate commercial designation and zone which permits outright more intensive commercial uses. Under the 20-year comprehensive plan we find that the request is consistent with policies and goals. The proposal to change from community commercial to general commercial

does not extend the existing commercial node, as you can see there's already a very large node here of commercial. It's not expanding it, it's changing the intensity of the use, and within that same the existing commercial designation as well as a proposed designation does not fit within the definition of a commercial strip with a linear nature, but rather an existing commercial node located at the intersection of an urban principal arterial which is 179th and the Interstate of Highway I-5. So that also is consistent with the location criteria of CH commercial.

We also believe that the request, the amendments, is the site is suitable for this request and again it's because of where it's located right on the I-5 corridor, 179th Street, it's already within a commercial node and we believe because of those things it could, it could serve those more intense uses that are allowed under highway commercial. The transportation analysis is important for me to state on this one that we find that this change is not likely to result in development which would impact the transportation system of Clark County more than the subject parcel could under the current commercial zone. The potential impact depends upon the specific form of development and the level of access to NE 179th Street. But with our approval, with our recommendation of approval, we also want to very clearly note, and it's in the staff report, that it is important that the property owners understand that in the short-term any redevelopment proposal is likely to face a recommended denial due to traffic safety problems that are existing right now on Union Road and 179th Street. The completion of 15th Avenue the extension project scheduled for construction in 2007 would realign the north and south travel patterns in this area and create an intersection with 179th site. These improvements should solve the immediate safety problem.

So with the zone change and the designation change, we can see that that ought to be changed and should be recommended as an approval for the change, but we want you to know, the decision makers as well as the property owner to know, that development will probably would take a little bit longer than that because of some of the safety issues that are existing, but that are being addressed by the County. Any questions?

DELEISSEGUES: I have a question. What if a short-term development proposal came in that did not cause any more traffic than what they have now, would that still be a denial?

TOWNE: I wouldn't think so, but maybe Mike can help me with that, our transportation person here.

MABREY: I guess my understanding is that there is an existing safety problem. If you were to take away a traffic generator now and put one in that was a lower traffic generator, I think it would be tough to make the basis, make the case for denial, but I'm, you know, I think that's something that we would have to decide at the time.

DELEISSEGUES: Okay, thank you.

RUPLEY: I'm interested in what you use the word more intense use might be for something like this.

TOWNE: Yeah. Highway commercial, I can give you some -- I have the code here and I can give you a lot of examples, but just off the top of my head highway commercial versus community commercial, highway commercial would allow hotels and motels, they're not allowed under C-3, large box, big box stores are allowed under highway commercial, so outside, outside sales and outside storage is allowed under highway commercial which isn't allowed under community commercial, so it's, it's just that it ratchets up one a little higher of intensity of use. Now the acreage that we're talking about here with Poulsbo is if -- I think it's in my staff report, there's very few acres.

MABREY: 7.65.

TOWNE: Yeah. And so even with Poulsbo and Jollie's together I think we'd be about ten acres altogether.

RUPLEY: Well, less than that I think, yeah.

TOWNE: And even less, yeah. The Poulsbo RV Center right now is nonconforming because it's an outdoor sales.

LEIN: 10.75.

RUPLEY: Sorry, I can't add.

TOWNE: Under C-3.

LEIN: Any other questions before we open it? Is there a representative of the applicant here?

ANDERSEN: Good evening. I'm Brad Andersen of the law firm of Schwabe, Williamson & Wyatt and I'm here representing Poulsbo RV. And I learned real quickly that if the staff is on your side, you don't say a whole lot, so I'm going to be real short. We do want to express our appreciation for the staff, Ms. Towne has been great to work with, she's given us all the information that we needed. We've sent a lot of letters in which I think are part of your record asking for this and I think you just talked about it. What the genesis for this is my client has a nonconforming use there. It wasn't a nonconforming use until 1994 because it used to -- am I on -- it used to be it was zoned highway commercial until 1994. Maybe we were asleep at the switch or something when that occurred, but we're trying to return that back to allow us to be a conforming use again. So we -- well, before I turn it over to the Chief Financial Officer Randall Faber to my right, I want to just do two -- well, really two corrections.

The first one is, and maybe it's, and maybe it's just the terminology, but it I think we're zoning this as a commercial highway and throughout the report it's general commercial. And those probably mean the same thing so I just want to --

TOWNE: It's general commercial designation with highway commercial zone, yes.

ANDERSEN: The first page refers to the four parcels, 117800-0, but then when you look on Page 5, I think it's just a typo, they actually, then, describe Jollie's parcel. So with that's just the one mistake and I would have called you if I had time today and I didn't get to it.

TOWNE: That's an important mistake. Thank you.

ANDERSEN: Yeah, actually Mr. Faber corrected that. So what I'd like to do is introduce you to Randall Faber who is the Chief Financial Officer for Poulsbo, and then sitting next to him we figured just to save some time is Dave Jollie of Jollie's. And I think any time you drive down I-5 I think you know exactly what businesses we're talking about because they're about a rock's throw away from I-5. So Mr. Faber.

FABER: Thank you. Good evening. As Mr. Andersen said, my name is Randy Faber and I'm the Chief Financial Officer for Poulsbo RV, and this is Dave Jollie of Jollie's Restaurant, our very good neighbor. First I want to again express our appreciation to the Planning Commission first for allowing us this opportunity to testify this evening, and also thanks to the County staff for all of their hard work in helping us get to this point.

Prior to Poulsbo purchasing our Ridgefield store back in the year 2000 there has been a recreational vehicle dealership at that location since at least the 1980s, and from what I believe there was some other type of vehicle sales or tractor sales or something like that even before that, so there's been a recreational vehicle dealership there for a very long time. Mr. Jollie's family here has owned and operated Jollie's Restaurant for going on just over four years now. We're both, both businesses are, have been members of the community for quite a while, employ, you know, a fair number of people, 35 at Jollie's and we employ over 50 throughout the year. All of our employees are members of the local community, they raise their families here, go to church, go to school, do all those things to be a good part of the community. When we purchased our Ridgefield location like I said four years ago, it was with the intent to be a long-term member of this community in this market area.

Long-term planning is an extremely important part of our business. Part of our -- part of that long-term planning is to ensure that we have the facilities to handle our current business as well as any potential future expansion and growth possibilities. This zoning change is very important to us in that it allows us to again make sure that we do have adequate facilities that if we do ever upgrade facilities, expand, or Heaven forbid if we have to rebuild after a fire or earthquake or some other type of disaster, having the correct zoning makes the permitting process and the financing process for us to go a lot easier.

We do understand that there's a traffic safety issue in the area, you know, we see it on a regular basis. We have had some preliminary discussions with County transportation staff and we look forward to working with them in the future to help develop some traffic solutions for that area that benefit us and benefit the County and any other stakeholders involved. Again I just want to thank you for this opportunity and thank you for your time.

ANDERSEN: We could answer any questions you have.

LEIN: Sure.

RUPLEY: You indicated that you have 50 employees currently employed at this site?

FABER: Over 50, yes.

RUPLEY: What's the average annual wage? And the reason I'm asking that question is this is that as you look at one of the reasons is consistent with Goal Number 5 which is economic development in the creation of jobs.

FABER: I'm not at liberty to discuss the average wage because we consider that confidential financial information, but I can say this, for the most part our people are skilled professionals and are paid accordingly. You know, they tend to be what I would consider middle class to upper middle class wage scale.

RUPLEY: With this --

FABER: I don't want to get too far into the actual because there's, you know, we have a very competitive business and part of that competition is people and so we really don't like to get too, you know, disclose too much out in the public, you know, of what our people make just from that standpoint.

RUPLEY: With this proposed change do you anticipate adding employees, creating new jobs?

FABER: It's possible. I'd say in the immediate future, no, we really don't have any immediate expansion plans. But, again, as I said during my testimony, knowing that the zoning is in place, you know, it gives us that ability, okay, we know that we don't have to jump through hoops if we do want to expand. We like this area, this is a good market, we came down here for a reason and, you know, we're here to stay.

ANDERSEN: Commissioner, if I can maybe follow up on that. I mean again going back to why are we here or what brought this to our attention was there was an enforcement at the beginning and there was -- we were actually trying to -- my client was trying to use kind of the back portion of the property and it just -- it makes insurance and trying to even just running your regular business because oftentimes you get into this question of what is and what is not a nonconforming use. So I think it could have an impact on the existing employees, their ability to retain those 50, those jobs.

RUPLEY: I'm just checking because as you look at what part of the recommendations and looking at that as Goal Number 5 and I wanted to see the economic impacts.

LEIN: Other questions of these gentlemen?

RUPLEY: Not from me.

LEIN: Okay. Thank you very much.

ANDERSEN: Great, thank you.

FABER: Thank you.

LEIN: Do you intend to take us through the Jollie's also or are you done with that?

TOWNE: We need to treat them separately. I would prefer if you'd vote on the Poulsbo.

LEIN: I do have a question on the Jollie's. What is the zoning recommendation for that? Is that would be the same --

TOWNE: Yes.

LEIN: -- in terms of highway commercial?

TOWNE: Yes. And as they pointed out, I'm going to have to switch the parcel numbers in the staff report so.

LEIN: Is there anyone wishing to testify for or against this application or either of these applications? Okay. Return to the Planning Commission. Questions of staff?

BARCA: It's my understanding we're going to vote on these separately?

LEIN: Yes.

BARCA: Are we going to have separate discussion prior to each vote or what's your intention in regards to that?

LEIN: I would say we need to have discussion of both at one time if there's overlapping issues and then we'll vote on them separately.

BARCA: Okay. Well, in that regard, in reading the findings that we have here I certainly understand about the aspect of nonconforming use and why we want to bring the Poulsbo property into a conforming use and that makes perfect sense to me. I'm trying to find the reason for pulling the Jollie's property out of the existing zoning. There's some ideas in here that says that it's consistent with the goals, but I think you could probably make that argument that it was consistent with the goals before. Why isn't it okay the way it is?

TOWNE: I would say that rather than just -- it's a very odd shape if you include only Poulsbo RV, especially with your, I was told, Gordy, if you'd follow me, I didn't realize you guys can't see my pointer, this piece goes up behind or to the east of Jollie's, so if

you took just the Poulsbo RV, you would be doing -- you would be have this very strange shape of CH zoning and there also would be a small piece for that type of zoning. If you're going to zone a CH zoning as I said because it is, does allow -- I mean we're looking at, I'm looking at this as a comprehensive land use decision, not just specifically to address a nonconforming use. So if you look at this as a comprehensive plan decision, land use decision, you'd want to be looking at it in the bigger picture of where do you place CH zoning, why would it be a larger piece rather than such a small piece because CH zoning allows intense uses. So if you're going to zone something with something with intense use, you're going to want it to be a reasonable acreage so that it actually can develop in that, in that for those uses.

The major location criteria for CH zoning is that it supports the traveling public as well as it's on an arterial, this certainly does that probably better than many parcels within Clark County. And, again, as a land use planner looking at it in a 20-year comprehensive plan light you would -- those are the same thing, those are the kinds of things you would look at for why you would zone something CH zoning and there aren't that many areas, there aren't that many places where you can kind of easily fit that, that more intense commercial use following those, that locational criteria. So looking at it in that light that is why both of them together really makes more sense.

BARCA: So to paraphrase what you said, you're really looking at swinging these properties into a different usage by making them available through the zoning change and grouping them together in that zoning change for commercial highway application?

TOWNE: Whenever you -- when you look at it in a to rezone something, you don't just look at the existing use, you look at what the zone could be because when you put zoning down, you have to look at that that parcel could change, this use could change. So that's not the only thing you look at is the existing use, you have to look at the zone allows and what it allows for and so then you look at that locational criteria and whether that makes sense or not for that to be there because in ten years the use could change, Poulsbo might not be there in ten years, we don't know. So as a land use decision you have to look at both very seriously.

DELEISSEGUES: Well, it would certainly make sense to me to have consistent zoning throughout that area I mean rather than to leave one little piece, an irregular shape piece almost result in spot zoning there.

TOWNE: That's correct.

BARCA: But isn't it actually the same as the commercial property --

SMITH: There's no choice there.

BARCA: -- to the east?

TOWNE: You'd be creating a little island of C-3 if you did that. This is C-3, if you did not look at the Jollie's --

BARCA: Help us, Gordy, she's pointing at stuff.

TOWNE: -- that would be C-3 and it would be surrounded, it would be an island because this would all be CH and then this is C-3, so you'd be creating sort of an odd piece.

BARCA: So the piece of C-3 to the east that's okay though?

TOWNE: That remains. That's a very large C-3. This entire area is C-3, all of that, so that would remain C-3.

MOSS: It seems that what you'd end up with is an area of highway commercial there on the corner that best fits the definition of "highway commercial" and that's that it's appropriately zoned for highway oriented uses.

TOWNE: Exactly.

MOSS: There's no question in my mind that this, any development on this corner is going to be a highway oriented one.

TOWNE: Right.

MOSS: That may not be the case with that what would remain as C-3 to the east of this or for that matter further south, but certainly this corner has got to be considered to be a prime candidate for a highway commercial.

TOWNE: That's how the staff looked at it as well.

LEIN: Would staff expand that into additional C-3 parcels in the future if that came in?

BARCA: C-3 or CH?

TOWNE: We'd have to look -- we'd have to look at it at that time.

LEIN: Any other questions of staff? Discussion?

DELEISSEGUES: So, Lonnie, was that a motion?

MOSS: Yeah. You could consider it one, yeah. I move that if we're -- if there is no additional discussion.

LEIN: Which parcel?

MOSS: We're talking about the Poulsbo parcel right now.

LEIN: Okay, thank you.

MOSS: I would make the motion on the Poulsbo parcel that we forward staff's recommendation on.

DELEISSEGUES: Well, we got to vote on them separately; right?

LEIN: Right. Yes.

MOSS: Yeah. On the Poulsbo parcel that we forward the Poulsbo parcel on with a recommendation for **approval**.

LEIN: Is there a second to that?

DELEISSEGUES: I **second** it.

LEIN: Any further discussion?

BARCA: For the record, can we have the parcel numbers read into the record, please.

TOWNE: Yes. The recommendation is for the Poulsbo RV Center parcels, there are four of them, Parcel 117800-000. Parcel 181901-000. Parcel 181938-000. And Parcel 181942-000.

LEIN: Thank you. Could we have roll call, please.

ROLL CALL VOTE

MOSS: AYE

BARCA: AYE

SMITH: AYE

RUPLEY: AYE

DELEISSEGUES: AYE

LEIN: AYE

LEIN: Continuing on to the Jollie parcel. Any additional discussion or motion?

TOWNE: Maybe I should --

LEIN: Is there a motion?

MOSS: I'd like to make the **same motion**.

LEIN: Is there a second?

DELEISSEGUES: I'll **second** the same motion.

LEIN: Any further discussion or questions?

DELEISSEGUES: Wait a minute. Wait a minute, it's not the same motion. I'll second Lonnie's motion to approve the zoning request for the Jollie parcel.

TOWNE: Maybe I should read the parcels into the record as well.

LEIN: The parcel numbers, would you please.

TOWNE: For the Jollie's Restaurant Truck-Stop and Tavern request, parcels, three parcels are included, 181932-000. Parcel 181979-000. And Parcel 181914-000.

LEIN: Thank you. Could we have roll call, please.

ROLL CALL VOTE

MOSS: AYE
SMITH: AYE
BARCA: AYE
RUPLEY: AYE
DELEISSEGUES: AYE
LEIN: AYE

B. 2004 Dockets-(Site Specific Requests) amending the 20-Year Growth Management Comprehensive Plan:

D2002-005 Greer, Ed (Barrus) The property owners are seeking to redesignate and rezone parcels 106399-000, 106398-000, 106390-000, 106387-000, 106372-000, 156252-000 for an approximate 4.17 acres from Urban Low (R1-6) to Light Manufacturing (ML) located at the 5800 block of NE 78th Street. Staff Contact **Sandra Towne, (360) 397-2375, Ext. 4544**

TOWNE: Okay. Moving on to the next Docket 2002-005. We're calling this the Greer. And you'll notice there is a sheet in your booklet, there was an issue after this was, the staff report was sent out that a couple of the initial parcels that were in the initial request, and this is one of the very old ones, they phoned and requested to be left out of the request and so during that process we weren't too sure what was going to happen, so I made this note for you not knowing whether it was going to be completely withdrawn or whether certain parcels were going to be taken out. And the solution that occurred was that there is a request, and if you could just turn to the first page and there are now four parcels in the request and if you'd look at the third parcel, Parcel Number 106390-000, if you would cross that one out, that is no longer within the request. So throughout the staff report that parcel number needs to be crossed out and deleted and that changes the acreage to 3 acres rather than 3.17 acres. Your maps have been -- well, let me see if your -- yeah, the maps have been corrected. Do you have a question?

BARCA: It appears that I have a map that shows six parcels with one of them being across --

TOWNE: Right.

BARCA: -- the street.

TOWNE: Okay. I wasn't too sure which maps you had so.

LEIN: That's the map with the SEPA that shows that.

TOWNE: If you would check your -- there are maps that are directly behind the staff report and the transportation.

LEIN: Those are correct.

TOWNE: Are those correct?

LEIN: Yeah.

TOWNE: Okay. Yeah, so the SEPA one definitely is incorrect because the SEPA went out some time ago.

MOSS: Which parcel is it that we just struck?

TOWNE: Yes. The parcel that is struck which is corrected on your map is the one that Gordy's showing you right now with the -- it doesn't have a dot on it and it's south of the four parcels.

MOSS: Okay. Thanks.

TOWNE: Okay. And just for your interest sake this was the other one that dropped out. It was up here. Gordy, you'll have to show them.

LEIN: Okay. That's the one that shows on the SEPA.

TOWNE: Yeah. So those two property owners contacted me, contacted the request applicant and so it's been taken care of, okay. Now let's start with the staff report.

The applicant's requesting to amend the plan and the zone change from urban low residential R1-6 to light manufacturing ML zone for those four parcels. The parcels are within the Vancouver urban growth area and the four parcels locate or are located south of NE 78th Street, this is NE 78th Street, and are at the entrance of a well-established residential neighborhood that has been designated and zoned for urban low residential development prior to 1994 20-year comprehensive plan. So that's this entire area has been zoned R1-6 for a long time. There is an existing business on two of the parcels,

this parcel and this parcel has an existing home business on it that it's called Buz's Trailers. The request for all four parcels equals approximately three acres.

Staff is recommending that the Planning Commission forward a recommendation of denial to modify this zoning and it's based on the following: The GMA goals, most of them are actually do not apply to this request, but we do find that the request is consistent with Goal 1 and 2, it's located within the Vancouver urban growth area, it also has public water, although it does not have public sewer. Also the request is inconsistent with Goal 4 which calls for affordable housing and a variety of residential densities and house types and this would eliminate three acres of an area of R1-6 zoning. We also believe that it is not consistent with countywide planning policies and community framework plan policies. Again based on housing affordability policies we believe that being on 78th Street there are houses that are existing there. Part of the argument of the applicant is that that's a busy street and housing is not appropriate, but there's actually been new housing that's been built over on these parcels, brand-new house built right on 78th Street so, and we have many examples all through the county of housing built on busier streets, so staff really doesn't feel that that is an argument that has much hold withstanding.

The 20-year comprehensive plan policies we believe it's not consistent again with these, it would be a very small three-acre piece of ML zoning right in -- intrusive into an existing R1-6 neighborhood. It's also R1-7.5 across the road, there is ML zoning here, but that's not really relating to these four parcels. These are also single-family homes, this is a large church. The location of the parcels adjacent to single-family residential lands and the small size of the parcels make this proposal incompatible to the surrounding area. In addition if -- just what's interesting that if these were approved to be ML zoned the -- to develop or redevelop the manufacturing, light manufacturing, parcels it's required through the County Code to create a 40 to 50-foot buffer between residential and light manufacturing, so that really makes these almost unbuildable. It's almost a spot zone. This little tiny piece amongst all this R1-6 I would actually call it a spot zone.

The transportation based on the attached transportation analysis as for this proposal if approved would actually result in a development that would impact the transportation system Clark County more than the subject parcels would under the current designation. It really would depend on how it was used. We don't see a real major difference there at this time. The urban level of public facilities are there except for sewer, so this entire area is not sewered at this time, the nearest pump station either way is approximately 1500 to 2,000 feet away. Based on those reasons we are recommending a denial.

LEIN: Questions of Ms. Towne?

DELEISSEGUES: Yeah, I have one question. It says that the present zoning if I'm reading it right is residential R1-6; is that correct?

TOWNE: That's correct.

DELEISSEGUES: And there's a business. Is that a nonconforming use then?

TOWNE: It is. It's a legal nonconforming use. It's been there for over 20 years so they can continue. And to let you know to speak for them they've had -- they have no complaints from their neighborhoods, from the neighborhood, they're a very clean business and keep it up. So that's everything that I've heard anyway.

DELEISSEGUES: Thank you.

LEIN: Any other --

MOSS: Just --

LEIN: Go ahead.

MOSS: Yeah, just so we understand, Sandra, with regard to sewer availability, that doesn't seem to me that it speaks against the designation of this as light industrial. It would seem to me that that would be an argument that would favor light industrial over residential R1-6.

TOWNE: Well, one of the criterias for, you know, looking at, looking at the changing zoning and the designation is whether it has public services and it doesn't have sewer.

MOSS: Well, I would agree, but sewer is something that light industrial can get by without a lot better than single-family residential.

BARCA: Do the parcels all have access to 78th Street? Is that their primary entrance and exit?

TOWNE: Yes. I'm not -- that's not true to for, excuse me, for this parcel, this parcel that here's the access right here.

BARCA: What is the road that as we're looking at this picture then separates the parcel with the red dot? Yeah, the one that Gordy's highlighting there. Is that 58th?

TOWNE: That is --

LEIN: Correct.

TOWNE: -- 58th. NE 58th, yeah.

EULER: Yeah.

LEIN: I think the biggest drawback I see is what Ms. Towne brought up in terms of setback requirements. It's surrounded by single-family and there's a setback requirement even with the single-family across the street, so I'm not sure if you could

even put a building on this, on any of those sites unless it's about ten feet wide, so that appears to be the biggest drawback.

SMITH: Now if we were to change this, the nonconforming would they have to conform to the 50-foot buffer?

TOWNE: Not the existing. If they -- only if they --

SMITH: Even though we changed the zoning they still would --

TOWNE: If they came, they'd have to -- only if they came in for changes. And I don't know what that threshold is, what it would require, but it would require a change before they had to.

LEIN: It would tie to parking and size of expansion, wouldn't it?

MOSS: Yeah.

LEIN: Like SEPA.

MOSS: Increase in the footprint, right.

LEIN: Any other questions? Is there a representative of the applicant here? And then I do have a fairly extensive sign-up list that I'll go down after the testimony we're taking.

GREER: Thank you. Yes, Ed Greer, 8002 NE Highway 99, Vancouver. I'm the a land use planner representing the four owners on this request. A couple of things I, Sandra, could I borrow your laser pointer, a couple of things that maybe weren't pointed out I would like to point out, other uses that are in this area that I'm going to go into a little bit more explanation. Right over here this existing home has been turned into a medical clinic by the, by the church. Over here we've got another church in this area and manufacturing fabrication area here, there are other businesses on down the street here. We feel what we're really trying to accomplish here is, and of course you've got 78th, a well traveled road with a good deal of traffic on it, of course not as much now since the Padden Expressway has gone in, but these existing on most of these existing homes here have small businesses now. Some of them, some don't.

Let me just run through a little list of things here, the reasons we're asking for this request. As Sandra mentioned it is tough to have residences located on a street that has a bunch, a lot of traffic like this. Yes, there's been apparently a few new homes but that was apparently those people don't mind the traffic. As I mentioned, the other businesses are already existing along 78th. This also gives -- I know the County's looking for more jobs, here's an opportunity for these small businesses to use the existing homes where they won't disrupt the neighborhood at all and that's what's going on right now. Probably most of these people don't even know those businesses are there. They're very quiet, they don't cause any trouble, an ideal place for it because it fronts right on the highway.

I think the main, the main -- what it kind of boils down to is as Lonnie mentioned that, you know, the sewer is not at issue here because theoretically this could be probably developed into higher more, more homes. I know in our long-range planning we are trying to adopt trying to create more jobs and I think this is an opportunity that maybe possibly staff overlooked, that this is the opportunity to do that in a place that's really not going to cause a problem with the -- I understand we have some other people here to testify, I'm not sure what their objection might be, but this is an ideal place for this. I'd be glad to answer any questions if anybody has any.

SMITH: How will this 50-foot buffer affect? And I realize what you're, you're nonconforming at this point, but if you want to redevelop how would this 50-foot buffer affect you?

GREER: Well, obviously it would be a -- it would cause an effect in the long run if somebody wanted to redevelop, but I think what we're doing here is, I know Sandra had mentioned earlier about where we have to look at the future as well, right now the issue is to allow other homes along there, they would be basically using the existing homes which wouldn't affect the buffer, the buffer would be at the rear along here and most of these homes are located up near 78th so they really wouldn't be affected unless you've redeveloped it. But, you know, these small parcels are really too small to redevelop by themselves and it's -- but it's like we're looking at more of the opportunity to use it as an existing situation and not something that -- 20 years from now or even 30 or 40 maybe. Hopefully that answered your question.

LEIN: Any other questions of Mr. Greer?

DELEISSEGUES: Well, it just I'm a little confused. It sounds inconsistent to say that you're going to create more jobs and then kind of keep it the way it is. If you're going to create more jobs, you're going to have to do something other than keep it as the way it is now or you wouldn't be creating any more jobs.

GREER: Well, this parcel here, there's not a business in it. And there's not one in this, that one there, so it's just right now it's two out of the four. So this would allow possibly a small business to go --

MOSS: Excuse me, Mr. Greer. Gordy, can you --

EULER: Sorry, wake up.

MOSS: -- replicate where he's pointing here, we're not seeing it.

GREER: Is that not showing up there for you?

EULER: Yeah, here.

MOSS: Yeah, we've got another screen here for the audience's benefit but we're -- your

pointer doesn't show up on it.

GREER: I'm sorry.

MOSS: Okay, thanks.

GREER: Those two that Gordy is pointing to are the parcels that do not have a business in but those owners would like to have that happen. So you're adding two out of the four. So it's not a whole lot of jobs, but we're, you know, if that doesn't happen, then those two will have to try to find another location for that.

LEIN: Any other questions of Mr. Greer? Thank you, sir.

GREER: Thank you.

PUBLIC TESTIMONY

LEIN: I'll go down the sign-up list. If you don't want to testify, please just indicate so. If you do, please come forward to the microphone. I have a Robert or Ruby Lloyd.

LLOYD: I'll get there, just give me a little time. My name's Robert Lloyd, 6106 NE 78th Street. Could I borrow your laser there.

MRS. LLOYD: I'm Ruby.

LEIN: Okay, thank you.

LLOYD: This is my wife Ruby. We live right across --

MRS. LLOYD: Right there.

LLOYD: -- on the north side of 78th at that point right there. We have about three-quarters of an acre, I'm sorry, right here it looks like, yeah, there's the church driveway that comes in alongside of us, so I'm completely surrounded on three sides by road now. The things I have to say is probably going to be couched towards all of the people that I know in this area, a lot I don't, as single-family owners. There's a new one right over here, a brand-new house that isn't even completely occupied yet, they're just finishing it. I have no idea what the square footage is but we call it the hotel, a very large, very expensive place right there. He just got his permit about, probably about a year ago I guess or less and now we're talking about bringing in light manufacturing and I'm sure it drives him nuts thinking about that. The slope of the land right here is in that direction like that and in that direction. Anything that happens here when it rains will come right out here and go right down here and goes right down there to my place and then cuts into the swamp. My well is located right where the dot is there. My septic is along the back right down in here, so anything that happens here whether it's air, ground, noise, anything, seems to go that way towards us and in all directions around

here, so there's quite a few things that I'm concerned about here.

I've known Buz Peck for quite a long time. He's a local, he's been there many years, and I've talked with him about it. He's a very good neighbor, very quiet, he keeps everything inside as best he can. He has driveways that come through so he doesn't have a lot of backing up onto 78th Street or even out onto 58th. He's a very good neighbor and he has been there for a long time, very good man. Right here where this place comes in they have a driveway that comes in I believe right along that side or this side, very narrow, already we have seen truck trailers jackknifed acrossed in 78th Street trying to get into this area and they can't do it, they either get caught in the ditch or they have to unload their product out on the street, get a forklift, come out get it out on 78th and take it into this back in here, so it's a problem already.

These houses are too small to have much a business in on these pieces that we're talking about. And I'm not entirely sure which, what we are talking about here because I've got one piece of paper that showed five tracts, I've got a piece of paper here that showed six and you took one out and that shows four.

EULER: There's the four right here.

LEIN: It's the four that are shown.

TOWNE: This is the correct map up above.

LLOYD: And you took one off there, right there, so that left four, one there and then what about these back here. I don't know.

TOWNE: Okay. The map that you're looking at right now the four, the one up here up above, that's the correct map so they're --

LLOYD: This one?

TOWNE: No, the one you see on the screen. Not the one in your hand, the one on the screen.

LLOYD: Right here?

TOWNE: All four of those parcels, there's --

LLOYD: Oh, right there?

TOWNE: Do you see the black dots?

LLOYD: Uh-huh.

TOWNE: Those are the four parcels.

LLOYD: Okay. So it's you crossed one --

TOWNE: And the red one, the red one's included.

LLOYD: Well, this still shows five.

MRS. LLOYD: Well, that's not the correct map.

TOWNE: Right. That's the -- you have the notice in your hand, correct, that is not correct, there's only four parcels, yeah. It was changed after the notice went out, that's when the two different property owners realized and they no longer want to be a part of the request.

LLOYD: Two went out, all right. Thank you very much. I appreciate that. I was a little confused about that.

TOWNE: I can understand why.

LLOYD: Well, I do have quite a lot of concern about the single-family residence here, particularly myself of course, I have to look out for number one I guess, nobody else is. The problem I have with it is noise, quality of the air, the environment, and I've never heard of a manufacturing business that didn't have the ability to run 24 hours a day. I do not want 24-hour a day possibility living right here when I'm right here. Those little houses I started to say are too small to stay as a manufacturing business very long. Those little houses along the road there. The Peck's buildings are pretty good size right now. I would anticipate these would go away if this was zoned, they would go away with those houses, they'd come down and there would be some larger buildings put in place, that's my own interpretation of what my business life was in manufacturing. It changes, you go with the flow, you get bigger or you die, so that's what I anticipate here. I do not want a manufacturing area next to my single-family residence area here, that's my own personal opinion.

One thing that will affect us for sure and that is if trucks are coming in or there are pieces of equipment that are backing up. Manufacturing requires that they have alarms on them, they back up they start dinging, you can hear those all the way from where Costco is building over here way over on the Padden Parkway, way over in here, and we hear all of that. We get all the noise from the manufacturing that goes on way over here on this side. There's heavy truck equipment refurbishing over there, it gets very, very loud at my place right here. I get all the church noise too and the traffic seven days a week, 24 hours a day sometimes. So I look at this as a very large impact on building a little camel here to allow him to get into this tent and that's us. So the noise, the air quality, the water, how it will affect my well, all of those things are what I'd like to bring out that I'm concerned about. Ruby.

MRS. LLOYD: Well, it just doesn't seem to me when he represented in doing this that he cared at all about the little houses. And these little houses have families in them, they're well kept up, it's a nice neighborhood and it should stay residential.

LLOYD: I guess the only other thing that I'd have to say at the end of it is I cannot anticipate that that would improve the value of my property for resale as a single-family dwelling or these others. If they wanted to sell their property with that manufacturing there, I do not anticipate that it would increase the value of the property if that was there.

LEIN: Are there any questions from members of the Commission?

LLOYD: Does anyone have any questions of me?

LEIN: Thank you very much.

LLOYD: Thank you.

LEIN: Carol or Larry Lyons.

MRS. LYONS: We have some petitions that we went around to the neighborhood in the last week or so and have gotten some, about 20 different petitions. Basically we do live in a relatively quiet neighborhood and it's improved greatly since the Padden Parkway has gone through. The traffic noise and access to 78th Street is much easier at most times of the day now and there also seems to be less accidents than there were previously when 78th was the main thoroughfare. The problems we have experienced with a couple of these properties are excessive noise in the mornings, trucks dropping off steel and piping and loud back up alarms. There's been sandblasting residue, rust and paint floating in the air. And these, some of these properties were used for purposes other than residential. One of the lots has a building as, listed on County records as a duplex but was built with the sole purpose of commercial business against County regulations. There are a lot of property available in the area for light manufacturing such as over on St. Johns Boulevard between Minnehaha and 78th, and on 63rd Street between St. Johns and Andresen and Fruit Valley Road and 117th Avenue and 112th Avenue. Our property values would decline, we feel our property values would decline because of less desirable environment for residential living due to the noise and the unsightly business activity, and this in turn would have a negative effect on the local tax base.

So an alternate solution that is proposed is if these property owners want more return on their investments, as we all do, they could improve the existing, of the existing structures and land and/or subdivide to 6,000-square foot lots, extend the sewers and build more single-family homes. And we feel if rezoning to light manufacturing should occur, there would be probable expansion and potentially causing even more noise and unsightly business activity, air pollution, et cetera. That would be -- anyway, we have about 20 of these that different, everyone, different people in the neighborhood signed so. Can we present these?

DELEISSEGUES: Excuse me, could you point out on there where you live.

EULER: Come here and do it.

TOWNE: Did you want to hand these in as testimony?

MRS. LYONS: Yes. And we have other ones too.

LYONS: We live right behind it, right there. Right --

MRS. LYONS: We're at 76th.

LYONS: No, right there. Is that it? No, right there. Right there. You can't see it.

EULER: It's a little hard to get oriented.

LYONS: And we're surrounded by good-sized lots.

DELEISSEGUES: Okay, thank you very much, I appreciate that.

MRS. LYONS: Our address is 7612 NE 61st Avenue. Thank you.

BARCA: And there's the long one next to it.

LEIN: Did you want to present those petitions?

MRS. LYONS: Yes.

LEIN: Did we lose the laser pointer? Okay. John Raynor.

RAYNOR: I have to apologize, sir, I was so excited about signing in that I signed in on the wrong list.

LEIN: That's fine. Eugene or Marlene Hapala.

HAPALA: My name is Eugene Hapala. We live at 6115 NE 78th Street. We built our home there in 1966 and have lived there since. It's been a very quiet residential neighborhood. We did have a traffic problem with 78th Street and now with the Padden Expressway through it's just been, you know, a hundred percent different. It really is.

I'm not going to be repetitive, but I think the thing that I would like to impress upon you is that passing this or approving this would set a precedent for further encroachment, it would just come farther and farther and farther down the street. If it is not approved we could remain a neighborhood with single-family residences, the people that go to the Walnut Grove School, which is a good school, and our streets are good, it is a fine neighborhood to live in, but we can't let this encroachment continue. If it does we're just going to be in a heap of hurt. And thank you for your work and I won't go ahead and go through the same things that everybody else has brought up this evening. I'll answer any questions you have.

DELEISSEGUES: Are you close? Do you live close by the proposal?

HAPALA: Yes. I am just east of 61st Street. 61st Street going north and south we're the second house.

EULER: Are you showing -- where I'm pointing up here, is this you.

LEIN: No, he's east.

MOSS: He's east of there.

HAPALA: No, over to the right.

LEIN: East. There.

HAPALA: There. Right there. And then the next lot to the east is the brand-new house. And those other lots are not built on yet, but those are single-family residences, residential lots too.

EULER: Thank you.

DELEISSEGUES: Okay, thank you.

HAPALA: Any other questions?

LEIN: I don't think so.

HAPALA: Thank you very much.

LEIN: Is it Wendi Walter, 6203 NE 78th Street. Yes. Did you want to testify.

WALTER: No.

LEIN: Okay. Samuel, I'm sorry, I think it's Green.

BRADEN: Thank you. Can I give you the rest of these petitions?

LEIN: Great. Right over there.

BRADEN: My name is Samuel Braden. I reside at 6006 NE 76th. Do you got a pointer to point that out? Yeah, I'm right here I believe. And basically I just want to reiterate basically the same issues outlined in the petitions. First of all I'd like to say I didn't get a copy of this, of this hearing or notice of this hearing, I was alerted by other neighbors, and I'm absolutely appalled at the possibility of this zoning. I moved in about a year ago to get away from the hustle and bustle. I was very happy to see that the upgrades to Padden relieved some of the highway traffic coming through 78th because I felt that it

was a safety issue trying to emerging, trying to emerge out onto 78th from that residential area and I believe that putting this, allowing this to happen would again constitute safety hazards for emerging traffic coming out of that area, especially with considerations to the industrial traffic that would be turning into those businesses with the limited road access. To some degree we've already got a prelude as to what would be happening there because there's -- those businesses are already in practice. In the early morning I can hear them backing up and dropping off hardware and what have you. From time to time there's a loud ventilation fan that sounds like possibly from an industrial paint booth that comes on and that thing just really rings. My backyard is basically a stone's throw to where these businesses would be.

The biggest thing is that I have concern is the resale value. I paid a pretty penny for one of the new homes in that area that I pointed out, right in here, these are all new homes all the way in through here, relatively new, within a couple of years, and so from my backyard I can hear everything that's going on over here. And that for the most part is it. Any questions?

LEIN: Any questions?

BRADEN: Thank you so much.

LEIN: Thank you. Leo Riz if that's correct.

RIZ: No.

LEIN: No, okay. Maureen Olson.

OLSON: My name is Maureen Olson and I'm that small little strip right behind these places, 7617 NE 58th Avenue, so I am a neighbor to just about every piece of property that they're wanting to change here. I have been a neighbor of Buz's for like 26, 28 years, we've gotten along well, he's been a good neighbor. I really don't want to see this get any worse than what it is. I mean he's been a good neighbor, but I don't want it to ever change to anything bigger. I do have a well on my property. I have a very small house and I have a garden and a little barn there and I like to think I've got a little piece of the country close to the city. I have seen a lot of changes in the neighborhood and never objected to any of them. I just I have to agree with just about everybody else that's been up worried about noise, traffic and some of the other concerns they brought up. I'm also concerned about my property value being's I'm right up against all of them. Any questions?

LEIN: Any questions of Ms. Olson? Thank you.

OLSON: Thank you.

LEIN: Judy or Jeff Ballard. Or if you both want to testify, that's fine.

BALLARD: Do you want to say anything? Hi. My name is Jeff Ballard and I'm just glad

to see that the -- it looks like they're going to not approve this plan for the change in zoning there. I live at 7512 NE 57th Court which is I think Bob Lloyd about covered it and most everyone else has the same --

EULER: One of those?

BALLARD: Okay, let me see here.

TOWNE: Move the pen so he can see.

BALLARD: Well, I'm trying to see where I'm at here, okay. Oh, I'm right --

EULER: Yeah. That's 77th, yeah.

BALLARD: I'm right here. Anyway, I'm not as close to it as some of them but the access. And I have to agree with the rest of the people that Buz, his business that's there, it really doesn't cause a problem for us, but I am glad to see that the Padden was in and there was some relief for traffic there. I'm just on the same boat with everyone else that I'm opposed to having it and it sounds like that's -- was the recommendation for the planning, so that's about it.

LEIN: Any questions from members of the Commission? Thank you. Joan Boomsliter.

BOOMSLITER: I pass. I'm against it.

LEIN: Okay, thank you. Joseph Martin.

BOOMSLITER: Pardon me?

MARTIN: Good evening. I'm actually one of the property owners that are requesting this. I'm on the --

LEIN: Mr. Martin, for the record, can you state your name and address.

MARTIN: Yeah. Joseph Martin, 5915 NE 78th Street. There's a couple of different issues. We do have a small business out of the house permit currently, so we are or have operated as part of our business out of there. One of the things that everybody has testified to is that Buz has with Buz's Trailers has not been inconvenient to anybody over the years and it hasn't been bothersome. One of the things that is an issue with him now is this buffer area. So what Buz currently has really can never be more than that without repermitting it, so what Buz is doing or what I would do really has to be small scale because of the buffer zone. What I currently run is a small commercial heating company that we've got roughly 17, 18 people, we've moved 99 percent of our operation out of the county and into the city limits and are in another location currently.

90 percent of my employees are actually out in the field, they are extremely good paying jobs that would continue to grow and really not affect us as far as the local traffic

anyways because most of our work is done, you know, we did the Lowe's, we've done, you know, several, and we're doing the Target, you know, so we do a lot of larger commercial jobs that are done on-site so there's very little traffic impact with our particular business, as well as anything that could be developed there would be pretty minor. It would be almost identical to what Buz at Buz's Trailers currently has, but again because of the buffering issue you couldn't put this big manufacturing process in there.

One of the neighbors had mentioned about the drainage, we've actually spent over \$30,000 on my property alone with an engineered swale system to collect and, you know, redistribute the water into the ground and it actually drains the other way. Padden has been a benefit for us. It has probably -- I would say it's cut maybe 30 percent of the traffic, but it hasn't cut traffic in the residential living aspect of it. Saturday all night long both churches are going, Sunday all day long. I mean it is, you know, I do a lot of yard work out in my front yard and it is like rush hour traffic always right in that area during the weekends. Ours of course, you know, would be more of a weekday process and wouldn't increase the business or the traffic in any significant way. You know, a couple of them have said about, you know, doing 6,000 or moving them to residential lots of 6,000, well, that's not a feasible option with sewer being so far away.

You know, you can only do 10,000 and that's under getting the County to approve that, so you really don't have some of those, those easy accessible things to do with the lots. Most of what's there would stay. I mean you can't, you know, with the buffer zone you're looking at really using the existing space as a small little business to earn a living and, you know, make jobs for people in the county which is a major, not only a major issue for individuals that get a paycheck from me, but also as, you know, unemployment is high, it is important and every single job does make a difference. That's probably about it barring questions.

LEIN: Any questions of Mr. Martin.

SMITH: Yeah. You're a legal nonconforming use now and you say you won't be able to expand because of this buffer. What is your reason for the rezone?

MARTIN: What, I'm a -- I'm not Buz's Trailers, I'm the next couple of houses down. Currently with the running a small business out of the house, you're allowed one employee and 400-square feet of that house, period. Now you can have off-site employees but that is all that I can have. With having it ML I could have three or four or five people that work in a 1200-square foot existing space and run a small business out of there and employ not only, you know, 30 to 40,000 employees in the office, but 40 to 60,000 employees in the field. So it is -- I mean we're not talking about, you know, not to knock McDonald's, but we're not talking \$7.50 an hour jobs, we're talking 20, you know, \$20 an hour average wage with overtime. Construction is picking back up and it's significant. I mean my payroll alone as we've been is somewhere in the, you know, \$400,000 a year area, you know, and it would increase and it wouldn't impact the current use or the current traffic at all because most of it's all done off-site.

LEIN: Any other questions of Mr. Martin?

BARCA: Is it your intention should this become ML that you're going to continue to use this as your primary residence or are you going to turn it into a full-time business location?

MARTIN: We would turn it into a full-time business location. It wouldn't be immediate, you know, obviously paying for things out of your own pocket is expensive so it would take us some time, but the intention would be to take the small house and turn it into a small business there full-time.

BARCA: So that's how it would grow?

MARTIN: Correct. Yes. And we'd buy another lot in the county. I love the county, born and raised here, you know, went out to Prairie High School and then Evergreen and I've been here all my life, you know, and it is a nice place to live.

BARCA: Is your parcel the last one of the ones designated --

SMITH: The red one.

MARTIN: Going this direction, yes.

BARCA: The red one?

MARTIN: Yes. So it's -- no.

TOWNE: No.

BARCA: No, okay.

MARTIN: You're actually, yeah, so it would be I guess you're looking at the opposite.

BARCA: Yeah, I am.

MARTIN: It's the L.

BARCA: Yeah, okay, the L. And that was going to bring up my question was the portion that's not yours, then that's a separate homeowner?

MARTIN: Which portion?

BARCA: The --

MARTIN: In the front?

BARCA: The segment, yeah, of the front, on the fronting 78th Street?

MARTIN: Correct, it is another homeowner.

BARCA: It's another homeowner.

MARTIN: They're not here but we're extremely good friends and they have no problem with it.

LEIN: Thank you, Mr. Martin.

BARCA: Thank you.

MARTIN: Thank you.

LEIN: Scott Peck.

PECK: Hello. My name is Scott Peck. My -- Buz Peck is my father and we've lived at 5815 NE 78th Street since 1970 and have operated a small family business out of there since then too, manufacture equipment trailers, utility trailers, and run a fairly successful business. We've been doing it now for 35 years, I've been doing it since about '76 since about the 4th Grade. But what we're -- what you're doing to the zoning, rezoning is the way I'm looking at it is it basically a security that what we got isn't going to be taken away from us. I mean it's -- and we won't be changing anything, the buildings that are there are already up, are very new buildings except the one that we're working, we work in currently has been there since 1980, that's the oldest building, the other two are I believe about seven years old and three years old so they will not be, you know, re, rebuilding there in any other different form than where we're at right now. It's just -- and so I don't -- we're not going to be growing or expanding like that, it's just a small family business, it's me and I have three employees and that's enough of a job for me to operate that, I'm not going to be taking on too much more. I don't know if what concerns.

The Costco and stuff is going in right there right kitty-corner down the hill from us, and you have the Arco and stuff that's right up the road from us, and there's that Columbia Steel and Machine down in the hole there, I mean, so there's ample examples of commercial there right, right, right in that area. And while there's also ample areas of example housing too, but I mean there's examples of both and I think they can exist together, one doesn't have to circumseed (sic) the other.

LEIN: Any questions of Mr. Peck?

MOSS: Yeah, I do. Mr. Peck, you've said that you really don't have any intention to expand that. Can you tell us what advantage that this rezone request would have to you if it were granted?

PECK: It would just be peace of mind that we, you know, to have our business there. And then if we could, we could, you know, we could go into like maybe installing trailer hitches would be a natural expansion of the business with the trailers because you

wouldn't even have to advertise, you got your customer right there hooking, you know, buying the trailer, if they needed a hitch or something, we could use it, one of the buildings for that. We might grow like that much that area, but I mean but we wouldn't go into like a manufacturing of a different, a whole different piece, you know, a whole different piece of equipment or something like, we wouldn't start manufacturing gates or something like that or put in a, you know, a muffler shop or something like that. And it's just basically it's a security to know that it's a family business and it gets to stay that way, you know, and it won't be some sort of regulation or something come in and then make it so where we can't work, we can't do our jobs, it's just, that's what we're looking to gain.

MOSS: (Inaudible) concern about having it burn out and being able to rebuild it?

PECK: Yes. Yes, it would be because especially with the fabrication and stuff and that's a very big concern, you know, fire, I always go through and walk through the shop, you know, every night after everybody leaves and stuff and, you know, but it is a very real possibility and that would be another concern, yes. I wasn't, I wasn't prepared to speak to you really so I don't know, I didn't know it was going to be like this, I thought we were just coming in to watch this or --

TOWNE: It's kind of scary, isn't it?

PECK: Yeah, a little.

LEIN: We're watching.

PECK: And I'm a little unprepared. Yeah, watching me fidget.

MOSS: No, you've done fine.

PECK: But, yeah, and my dad, we have been really -- everybody testified we've been, you know, tried it and it's been taken a -- it take a conscious effort to keep the place clean and presentable and stuff and then we get lots of compliments on that from both the neighbors and the customers that come in and then that will continue one way or the other, you know. It's just the same thing, we manufacture an upper end product that we don't, you know, it's that there's more and more expensive equipment trailers out there, but we're very busy so it's something that we're very proud of, the business and the home and the, you know, and the neighbors too. I mean the whole thing.

LEIN: Any other questions of Mr. Peck? Thank you, sir.

PECK: Thank you.

RETURN TO PLANNING COMMISSION

LEIN: That completes the sign-up list. Is there anyone we missed that didn't have an opportunity to fill in the sign-up list that wants to testify? If not, we'll return it to the

Planning Commission. Do we need to take a break? How are you doing?

HOLLEY: After you deliberate.

LEIN: Okay. Good. Questions of staff? Comments from members of the Commission?

BARCA: I didn't hear a single word about the parcel that's west of 58th Street. I'm wondering why that's thrown into the mix? There doesn't seem to be an existing business there and the owner of the property didn't come forward, what's with that? Mr. Greer, did you have anything that you could add in that regard?

GREER: For the record, Ed Greer again. You know, I can't answer that. I --

BARCA: Thank you.

GREER: But let me just say this, that during the -- this request was actually initiated by Mr. Peck and you can probably tell that. Mr. Rose, and I think is the owner of that property, I guess he had some ideas about -- and I don't know why he's not here, but I guess he had some ideas of possibly running a business out of that. But I think the main thing here is the Martin and the Peck properties, they're the ones that have current businesses and of course they're very concerned that, and I think Mr. Moss hit it on the head, what happens if some of these buildings burn down, could they be able to -- a nonconforming use may not protect them.

I don't think there would be a problem if you shortened that rezone down to just those three parcels, I don't, since we're not really having any, any real support of the other, the westerly portion. So I'd say it's just more of a the owners as they mentioned a protection on their part. As you can see that there really isn't any room for expansion on the Peck property anyway. Hopefully that answers your question. Thank you.

BARCA: Thank you.

LEIN: Other questions of staff or comments from members of the Commission?

SMITH: I have a --

BALL: If I could?

LEIN: Yes.

BALL: I'm Cliff Ball. I live at 7608 NE 61st Avenue. One of the things that were just brought up here if they zone it, if the zoning is changed to light manufacturing, would it allow the, those businesses to sublet part of their properties to other businesses?

TOWNE: I don't see why not. I don't see why not.

BALL: Yeah. And, see, that was --

MOSS: Subject to site plan approval.

TOWNE: Right. Well --

BALL: But I mean like a --

TOWNE: -- subletting, if there wasn't any change to --

MOSS: If there was no change in use.

TOWNE: We don't, we don't, we don't, if you want to sublet --

BALL: I mean if there's existing buildings there that are being underutilized right now by the existing businesses or if this is changed could they lease out those buildings to other businesses which would bring in more traffic --

TOWNE: Yes.

BALL: -- and more --

TOWNE: Yes, they would be able to lease.

BALL: It would be a negative impact on the residential neighborhood then.

TOWNE: Well, I'm just answering the question, yes, they could lease to other.

BALL: One other thing I noticed when the previous dockets that were being discussed, the maps and the aerial photographs that were put up with the zonings on them, I noticed there was a lot of undeveloped ML zoning in the county up around the fairgrounds, in other areas that was -- that were showing on those maps too in addition to the ones we listed on our petitions. And that's all I have. Thank you.

LEIN: Any other questions from members of the Commission?

SMITH: I have just a peripheral question. Someone mentioned that the church had put a medical clinic across the street and that's in R1-7.5. How did they do that?

TOWNE: I am not familiar with that, but I believe they said it was somewhere where Gordy's pointing right now, but I, I'm not familiar with it.

BARCA: But they're next on the docket.

SMITH: Oh, good.

TOWNE: No. No, they're not.

LEIN: No, it's a different church.

BARCA: Oh, different church. Oh, darn, sorry.

LEIN: It could have been part of their master plan if they owned the parcel when they did the master plan.

TOWNE: I'm not familiar with it.

LEIN: So any other questions? Entertain a motion?

DELEISSEGUES: Well, I'll make a **motion** if there's no discussion, but are we going to discuss it or are you through discussing it?

BARCA: Do you have something to add to the discussion?

DELEISSEGUES: Well, it just seems to me it's commendable to have employment, it just seems like it definitely is a nonconformance to have that zoning in what appears to be a residential area. And not only that but off to the west there are still lots where new houses are being built, so, you know, it's not like it's a changing neighborhood or something that's in transition, it looks to me like it's a still growing residential area with new homes and new homes being built, just maybe if the business failed, then the owner would be better off to sell the lots as residential lots, take the money and go somewhere where the resident or the light industrial zoning is appropriate and move the business, I mean that's certainly an option, but the residential character of the neighborhood I think is well-established so I tend to agree with the staff recommendation.

BARCA: Well, what I see through all the testimony is basically everybody that's come forward, they all want the same thing, they're looking for a little bit of certainty and trying to understand what the future would bring and it falls on both sides of this, both the residential and the business use. I know that our normal policy is one of not spot zoning and we try to avoid that in our planning process, but throughout the county we see lots of historical precedent that doesn't match our future plans and considerations on how we go about putting lines on maps and creating future zones. I'm looking at this with in the context of the buffer and if we did remove the parcel that is south of, not south but west of 58th, yeah, that one, we're really into a very small amount of property with the existing footprint, the uses are pretty limited. If they were to try and redevelop then we would kick in the buffer consideration and dramatically change the nature of what could be done on a parcel that size. Excluding that one parcel to the west of 58th, what are we down to for total acreage if they just took the three?

TOWNE: That's about one acre, almost one acre that western part, western parcel.

BARCA: That's close to one acre so we would be down to 2.17, two acres and some change. So I'm looking at this from the context as, hey, you know, if we're trying to

create certainty for the neighborhood and for the business owners that have been operating there with precedent for a period of time is there a compromise solution that might be able to get that done and I'll throw that out for some discussion.

LEIN: And your compromised solution is?

BARCA: Exclude the parcel to the west of 58th and consider rezoning the three contiguous pieces.

LEIN: Comments on the recommendation or the idea?

MOSS: Well, I don't know. I'm really troubled by this one because I'd say to me this, if we were looking at this from a clean slate viewpoint, this isn't an appropriate place probably for this use. I do want to say that I'm familiar with both of these businesses that we've talked about. As a matter of fact my firm is an engineering firm and we've done some of the work for Mr. Martin's business, I've been on Mr. Peck's site, I haven't worked for him but I've seen his trailer operation and I certainly appreciate the fact that he is a good neighbor, I would agree that that's a very clean operation there.

I guess what I'm -- the trouble that I'm having here is particularly with Mr. Peck's operation having been there for 35 years and knowing what the effect is of not having appropriate zoning. I've been critical in the past here that we came along in 1994 and rezoned much of the county and made people's businesses, people's land use nonconforming and that put them in a very vulnerable position. I've seen a number of occasions in the last several years where people have had to face the consequences of being a nonconforming use. I think that's really unfortunate and this is a case I think that really brings that out. We have in Mr. Peck's operation here a business that's existed for some 35 years and it sounds like he's been done an admirable job of being a good neighbor to the community, the community has kind of grown up around it. It's kind of a dilemma because to me, as I said, this isn't, you know, this is a little enclave. And I certainly appreciate, Ron, what you're thinking about it, there must be some way to strike a balance here and put some zoning into effect that achieves all of the desires of the community or takes everybody's needs into account.

I'd like to do that also, I'm not sure exactly how to accomplish that though. You know, recognizing that on the other hand if we make this a light manufacturing zone, if we approve this, or if the Commissioners do I should say, that there's no guarantee that there won't be a considerable more intensive use at some time in the future that would have a bigger impact on the community than this. I guess that's why they pay us the big bucks or do they pay us to make these kinds of recommendations. And this really is a tough one. There isn't a good answer here, folks, and, you know, I certainly appreciate all the testimony that I've heard here from both sides. I can put myself in the business owners' shoes here and I can certainly put myself in the residents' shoes too. This is going to be a tough one to decide.

LEIN: Any other comments? Well, I'm going to disagree from the standpoint that I think trying to rezone this is going to put an additional burden on some of these people. If I'm

not mistaken I heard testimony that said that Mr. Peck has built additional facilities on his property in the last seven or eight years which means that he's been able to expand his facility even though it was in a preexisting condition. If we zone this he's going to have to then conform to the setbacks and he couldn't expand or do anything on his property very easily. I think with the setback requirements as an ML you're going to take these facilities and you're not going to be able to do anything to them. I don't think there's anything allowable under the context of the zoning ordinance that says you could do any new additions because you couldn't meet the setback requirements.

So personally I feel that some of these businesses have the right to be there, they've had -- it sounds like they've been able to do some expansion and they will be able to continue to have that right under a pre-existing condition and I don't think making this zone an ML is going to improve the neighborhood. In fact it may create situations that would make situations that some of these couldn't be or wouldn't be as compatible as they are now. You take the HVAC business, his trucks and stuff must be parked off-site, you know, he'd be using this as an office, we make this ML and all of a sudden those trucks and all the other employees could basically be on-site which I think would have a negative impact on the residential around it. So I'm supporting staff recommendation.

DELEISSEGUES: Do you want a motion and we'll see where it comes out?

LEIN: Unless there's other comment? Okay. Entertain a motion.

DELEISSEGUES: Okay. I'll make a **motion** that we pass on a recommendation to the County Commissioners to support the staff recommendation of denial.

LEIN: Is there a second to that?

RUPLEY: I'll **second**.

LEIN: Motion and second to support the denial. Further discussion? Could we have roll call, please.

ROLL CALL VOTE

BARCA:	NO	
MOSS:	It's a tough one.	NO
SMITH:	NO	
RUPLEY:	AYE	
DELEISSEGUES:	AYE	
LEIN:	AYE	

LEIN: **3/3 tie**. It will be sent on to the Board of County Commissioners and they will get to make the decision which they would anyway. We will take a short break and then come back to the next case on the docket.

(Pause in proceedings.)

B. 2004 Dockets-(Site Specific Requests) amending the 20-Year Growth Management Comprehensive Plan:

D2003-003-043A (Vis) The property owners are seeking to redesignate and rezone parcel 185726-000 for an approximate 2.5 acres from Urban Medium (R-18) to Light Manufacturing (ML) located at 14019 NE 10th Avenue. Staff Contact **Sandra Towne, (360) 397-2375, Ext. 4544**

LEIN: We'd like to reconvene the Planning Commission meeting, please, and we will go on to our next docket item, D2003-043A, Vis. Ms. Towne, please.

TOWNE: Okay. The applicant is requesting a plan amendment and zone change from urban medium residential R-18 zone to light manufacturing ML zone for one parcel and that parcel is approximately two and a half acres. My map person isn't here right now so just a moment. It should be the next, it should be in order there. You have to aim it over here to this camera on the wall. Hit the -- sorry. Ready.

The two and a half acre site is developed with an older single-family residence. To the south are parcels designated and zoned light manufacturing. To the east is a vacant parcel of urban medium R-18, and east of this vacant site is Interstate I-5. To the west are urban medium R-18 designated parcels developed with medium density housing. And to the immediate north is an existing mobile home park. The mobile home park has a designation of urban medium R-18 zone on the southern portion, but the northern portion of that part is designated light manufacturing. And I want to point out to you that although this request does not address the mobile home split zoning, it's important to point out that staff considers the light manufacturing ML portion of the mobile home, that northern portion, as a mapping error that should be corrected in the near future in the next docket cycle.

LEIN: Sandra, what do you mean by that? Correcting it to what?

TOWNE: Well, we only to correct it to be R-18 because it's an existing mobile home park, it was meant the entire mobile home park be R-18. That was the initial and it was -- we would consider that a mapping error that it was split in half, it's not two parcels, it's one parcel.

DELEISSEGUES: Does that apply, Sandra, to Criteria 4 where the last sentence in the paragraph says there's no mapping error for the parcel or is that a --

TOWNE: No, I don't want to confuse you. The request has nothing to do with the mobile home park.

DELEISSEGUES: Okay, thank you.

TOWNE: But I wanted to point out to you because when you're looking at the map, you're going to see that the mobile home park half of it's ML and half of it's R-18 and so really this should be a larger cluster of R-18 there is what I want to point out, and that staff would recommend that that line be changed because it was a mapping error that that mobile home is shown in ML.

MOSS: Why would you not similarly consider to be a mapping error to include these two parcels to the south of the mobile home park (inaudible)?

TOWNE: Because it wasn't. I've talked to the people who did the zoning in 1994 and that was their vacant and underutilized and they considered those to be R-18 next to the mobile home park, to create a cluster, they wanted to create a cluster of R-18 urban medium zoning in that area.

MOSS: What distinguishes those two parcels from the parcels to the south there?

TOWNE: The south is already used, that southern piece is already used for ML use. If you could point to that southern, that is an existing industrial site. The other, those other two parcels, are not. There's a single-family home on the other one, the one with the red dot, and it's vacant to the east of that, so that's -- I wasn't here when the zoning with that, but that was the thought behind the original zoning.

MOSS: What about the parcel to the south of that one that we're pointing at right now?

TOWNE: Those are ML zoned.

MOSS: I understand that. What I'm trying to understand is if it was a mapping error to not include all of that mobile home park in the R-18 zone, I'm wondering was the intent to shift that whole R-18 zone up there. It seems to me that we've got R-18 sandwiched in here between two ML zones, two areas of ML, which is kind of an oddity by itself, it seems like the only reason to do something like that was to recognize the existing zoning, I mean the existing use.

TOWNE: The existing use.

MOSS: Right.

TOWNE: All I can tell you is the two southern parcels were considered to be R-18, it wasn't a mapping error. I wanted to add, instead of having a one little slot of R-18 they added additional parcels to make it a larger cluster of R-18 to make a little more sense of it. Once again it's the -- there just went the microphones, okay. It's the same, it's the same thought process as you have an existing use and you may want to address that existing use, but you don't want to just have a little tiny piece of it, you'd like to have a larger cluster to make it more sense out of so it can develop into a larger cluster.

MOSS: Well, my comment to that would be there's naturally some incompatibility

between single-family and the light industrial and it seems like all we're doing is just moving the incompatibility around here by making that larger.

TOWNE: It is R-18 zoning, it's not single-family, it's urban medium density, and so it could make more sense to have urban medium, you would have more units, you'd have to have that 40, 50-foot buffer again, and even the residential might have to put the 40 and 50-foot buffer in, whichever's there first and whichever is developing. So, you know, that's I could suppose you can make the argument either way.

To continue with the staff report, we found that the -- we are recommending a denial to modify this comprehensive plan and zoning map from urban medium R-18 to light manufacturing based on the following reasons: We do believe that the request is in conflict of Goal 4 of affordable housing for the GMA goals. The existing urban medium R-18 designation allows for affordable medium density housing adjacent and south of an existing affordable housing mobile home development. There is now a cluster of R-18 zoning and if the request was approved this cluster of R-18 zoning and the existing mobile home park may be impacted by reducing the size of the cluster and therefore the probability of attracting an in-fill development allowing industrial uses to the south and adjacent to the mobile home park and by further isolating the eastern vacant R-18 zoned parcel. So if the one parcel that has a dot on it within the request was changed, you then that eastern piece, vacant piece, would become an even more of an island of R-18.

We also found that the request is inconsistent with the countywide planning policies and County framework plan policies based again on affordable housing and urban medium R-18 parcels. Because of the location adjacent on three sides by UM R-18 and the small size of the parcel that is being requested to go ML, it's not a logical designation, but keeping it as urban medium R-18 it would continue that cluster where it would actually make it possible to do an urban medium development. We also found under the 20-year comprehensive plan policies that the existing designation and zone of the subject parcel is most consistent with the housing policies, that based on the fact, again the same, I would repeat based on the fact that there are other available vacant ML parcels in the area, there are to the north, there are several vacant parcels as well as to the south as you notice, and again the issue of keeping the cluster of R-18 is important in order to make a viable development there.

Transportation issues. The change will likely result in development which would impact the transportation system less than the subject parcel would, so really transportation is - - really would be less probably if it was ML versus the R-18. All urban level public facilities are currently there, so certainly it's consistent with that criteria.

I wanted to point out one other point. The location criteria for light industrial location criteria states that areas within this designation provide for light manufacturing, warehousing and other land intensive uses. Services and uses which support industrial uses should also be allowed in these areas but limited in size and location. There isn't really, really specific location criteria for light manufacturing so it's difficult to address that and really firmly for this, but again we would, I would say that there is existing

vacant ML. This is only a two and a half acre piece and I think that it would have much more impact on the existing cluster for R-18 development than it would a positive factor for additional ML land. I think that's the end of my staff report.

LEIN: Questions of Ms. Towne?

BARCA: There is a proposed freeway overpass somewhere in this area if I'm correct?

MABREY: 139th and that right-of-way right there.

BARCA: 139th.

TOWNE: You want to point to it.

MABREY: Oh, yeah, thanks. Figure out how to use this. Push this button. Right, 139th is this long right-of-way right here so the overpass is right there.

BARCA: Okay. And so what we would be looking at, then, is the ML property as we see it here would have the 139th Interchange moving in and out of it and it's on the southern end of that already working piece --

MOSS: There's no interchange.

BARCA: Not interchange, excuse me, overpass. And then it would come and intersect into 10th up there by my left, your right, yeah, okay. I needed to clarify for my own mind. So we're not going to deal with the mapping error, but the future would be that the northern boundary of the mobile home park is included and then it goes down to where the boundaries are now if it remains R-18?

TOWNE: That's correct.

BARCA: Okay. I'm just trying to get an understanding of how much property is proposed for R-18 in its relationship to commerce on both sides of the freeway and access. Thank you.

LEIN: Any other questions? Is there a representative of the applicant here? Do you have any comments?

VIS: I don't wish to speak.

LEIN: Okay, thank you. I lost my sign-in sheet. Is there anyone else wishing to testify for or against this application? We'll return it to the Planning Commission. Questions of staff? Discussion?

BARCA: Well, it appears to me the tiny island of mobile home park trapped between ML on both sides is a really bad idea and adding this additional piece of property to it gives it at least the potential of having some viability and it seems like it should all

convert or it needs to remain, but shrinking the R-18 designation to exclusively the mobile home park doesn't seem like good policy to me.

MOSS: I'm not sure that I follow that. That's, you know, it seems to me like if there's any reason for R-18 in this area at all, it's just to recognize an existing use. We've had, sorry, Cindy, we've had, we had considerable discussion about nonconforming uses in our previous discussion and certainly I think you can make a strong case that this mobile home park ought to get an R-18 designation so that it isn't a nonconforming use, but I'm not sure at all in looking at the grand scheme of things since we have mobile home, or excuse me, since we have light manufacturing to the north of this, we have light manufacturing to the south of this, that there's any real reason to advocate for expansion of that R-18 zone. Or put another way that since it seems likely that we're going to do a mapping error correction or staff would like to do that, I'm not sure that it makes sense at all. Since we have a request for R-18 conversion to light manufacturing that's sandwiched in between this mobile home park and an existing industrial use, I don't see why we would not want to grant that. I mean to me the issue really is one of compatibility of uses and I don't see that we're changing anything by moving the incompatibility one parcel over, you still have R-18 butted up to light manufacturing no matter which way you go.

If we have a request from the landowner to change the use, it seems to me like that kind of tips the balance for me. I mean that's -- I can't see any reason not to do that. Certainly from the viewpoint of this is I understand that both these uses potentially create the same number of peak hour trips that would go through the 134th Street Interchange, but if we want to talk about what the comprehensive plan policies are and certainly the desires that have been expressed by the Commissioners I think they've made it amply evident that they would prefer development of this area to be industrial or commercial and that certainly is evident in the preference that they've given for the 134th Street corridor trip distribution or the allocation of trips between residential and other uses.

You know, I'm not making, you know, not making the argument here that one has more impact on that 134th Street corridor than the other, I think staff has demonstrated that both of them produce the same number of peak hour trips. So the question I guess is how do we want to use those trips. I would like to see us make the correction, Sandra, that you recommended and include this whole thing in the R-18 zone at some time in the future, that that isn't the subject of discussion tonight, but I certainly don't see any reason not to honor this request here to change this piece of R-18 to light industrial.

LEIN: Other comments?

DELEISSEGUES: I kind of see this as a reverse of the one we were looking at last time, that there it seemed appropriate to keep it residential because the majority of the area was residential. Here it seems it would be more appropriate to make it ML because the majority of the area is ML and right up against the freeway with the accesses provided both to the east/west, and the character of the area being ML in the first place it would seem like it would make sense to go ahead and honor their request

in this case. The only adverse situation that I can see that would be created would be putting ML right directly next to the trailer park, but maybe the trailer park's already impacted by noise at the freeway and the ML in the existing area and it's not going to make that much difference, so I tend to agree with what Lonnie said.

MOSS: There is one unfortunate part to this and that's that because of the notice requirements I suppose we don't have the ability to take that piece to the east into consideration too, it would leave that larger piece of R-18 at this time a little isolated.

BARCA: That was my point. And I guess, Dick, based on what you're saying, really the mobile home park should probably be ML zoned too, but right now it's definitely an active mobile home park and there's a lot of residents in there and this just looks a lot like Brush Prairie coming up to me.

DELEISSEGUES: Well, that's true. And I remember the Hazel Dell trailer park or the one on --

LEIN: Highway 99.

BARCA: Right, booted them all out.

DELEISSEGUES: I guess it was where, you know, where Lowe's and all that area is and they had a trailer park back and he wanted to convert that to ML too so maybe the destiny of the trailer park some day in the future would be ML.

BARCA: Well, if we bound it as such.

MOSS: But I do want to make the distinction between this and Brush Prairie, though, and that's that that was not ML, that was MH.

BARCA: Okay. So it won't be an asphalt plant.

MOSS: No, it won't.

DELEISSEGUES: You never know.

LEIN: This would be very simple if the mobile home park wasn't there --

DELEISSEGUES: Right.

LEIN: -- because that continuity of ML across there would, but I'm having trouble with just plopping the R-18 out there like that.

BARCA: But it's already there.

LEIN: Yeah, but I'm saying, okay, you've got half of it in the R-18, you've got half in the ML.

BARCA: So assuming that the northern boundary encompasses the rest of the mobile home park which looks like it's NE 143rd Street, then you have the mobile home park and the two and a half acres to the south of it and the parcel behind it, so there's significant enough available property to do something with and the way that the area is growing I think, you know, we also have to talk about the aspect of zoning for density and the idea of a variety of housing types that are supposed to be available. Staff recommendation on this again was denial?

TOWNE: That's correct.

BARCA: Okay.

DELEISSEGUES: Just a question. Were the people in the trailer park noticed of this zone change?

TOWNE: Yeah. There was a 300-foot notice. And I've actually had conversation with the owner of the mobile home park, he does not -- he's not interested in going to ML. And I've tried to contact the, I'm just trying to -- I was thinking in my head very much of what all of you are talking about right now that it's for me -- as a long-range land use planner it's difficult for me to look at this in a piecemeal way, that it really needs to be looked at in the bigger picture, and that the way I look at it would be that you need to preserve that larger cluster of R-18, not just eat away little pieces and make islands of R-18 left. And it would be much easier if all the property owners came in and said we want to be ML, but they, they're not doing that. We're also facing the issue of that two and a half acre piece that is requesting to go ML, that in order to develop that as ML they will have a 40 to 50-foot buffer to the north and that would be at least half of the parcel.

SMITH: Are these trailer homes tenants or do they own their plots?

TOWNE: They own their plots.

MOSS: Are you saying that this parcel is zoned 40, or excuse me, only 80-feet wide?

TOWNE: Well, it's approximately 100-feet wide and so a 40, 50-foot buffer.

SMITH: I think it's wider.

LEIN: It would have to be taken into the larger parcel to the south to make much use to it. It couldn't be developed readily on its own.

MOSS: This parcel's got to be considerably wider than the 100 feet.

TOWNE: Do you think so?

MOSS: Yeah, I do, to make two and a half acres. It's approximately five times as long

as it is wide.

MABREY: Yeah, it's probably 200 feet.

TOWNE: 200 feet, you think so. So it's probably about 200 feet then.

MOSS: I mean a 40-foot buffer is doable on this.

TOWNE: On that. Okay.

LEIN: Any other comments or questions of staff? Right. Motions?

BARCA: I'll make a **motion to accept staff recommendation for denial.**

LEIN: Is there a second?

DELEISSEGUES: I'll **second** it.

LEIN: Is there discussion on the motion? Could I have roll call, please.

ROLL CALL VOTE

MOSS:	NO
BARCA:	YES
SMITH:	YES
RUPLEY:	NO
DELEISSEGUES:	YES
LEIN:	YES

LEIN: 4/2. Be forwarded on to the Board of County Commissioners with the staff recommendation to deny.

B. 2004 Dockets-(Site Specific Requests) amending the 20-Year Growth Management Comprehensive Plan:

D2003-008AA (Crossroads Community Church) The property owners are seeking to redesignate and rezone parcels 105620-000, 105626-000, 105627-000, 105630-000, 105710-000, 105712-000, 105714-000, 105720-000, 105720-001 for approximately 21.51 acres from Urban Medium (R-18) to Community Commercial (C-3) located at 7708 NE 78th Street. Staff Contact:
Sandra Towne, (360) 397-2375, Ext. 4544

TOWNE: The next is Docket 2003-008AA, Crossroads Church. The applicant is requesting a plan amendment and zone change from urban medium residential R-18 zone to community commercial designation C-3 zone for nine parcels. The site is currently developed with a very large church and a lot of parking lot. The property

owner proposes a recording studio for religious music, a book store and a coffee shop to be permitted on the church campus. The proposed C-3 zone would allow these uses with a possible exception of the commercial recording studio. I think the -- well, Steve Horenstein will be -- is the representative here and he may clarify this for me, but I believe that they already have an existing recording studio in the church that they record themselves, they use themselves, but they would like to open that up for others to come use, therefore it would require a different zone to allow that.

And I want to point out to you some ambiguity that occurred when we were, when staff was trying to interpret the zoning code on what is allowed under C-3 and what isn't, so I'm going to read from the staff report here, the last paragraph on the first page. Staff is concerned that Title 40 is ambiguous in its definition of where commercial recording studios are allowed outright. The ambiguity arises between the manufacturing uses list and the commercial uses. The code clearly states that in light manufacturing zones sound recording studios are permitted outright, and it's very, very clear. The code states in the commercial zones that artistic studios and schools, including but not limited to dance, music and martial arts, are permitted in all commercial zones. And depending on the size and also they are allowed in C-3 and CL depending on a smaller size. And staff's discomfort lies with a less direct definition in the commercial code so that you have to interpret does a recording studio fall within the definition of dance, music and martial artistic studio when it clearly says in ML a recording studio.

So we would like to -- therefore staff suggests that correcting this ambiguity through a future code amendment and that the next biannual code of next year would include cleaning this up and that it would make the language much more clearer in the commercial zone that recording studios are allowed. I just wanted to point that out. So the recommendation by staff is approval to modify the comprehensive plan zoning map from urban medium R-18 to community commercial with the caveat of coming back and changing and making that more clear that a recording studio is allowed in C-3 zoning.

And the reasons are within the staff report. We find that, we believe it's consistent with the GMA goals. The site is located within the Vancouver UGA and public water and sewer is available. Most of the goals really we don't, I don't find very applicable in the GMA to this request. So moving to more applicable policies would be the countywide planning policies and the 20-year comprehensive plan. Under the framework plan, all planning should be in the form of complete and integrated communities containing housing, shops, work places, schools, parks and civic facilities. Community size should be designed so that housing, jobs and daily needs can be met, we believe that this request falls under that policy. The 20-year comprehensive plan, the proposed community commercial designation and zone would support the surrounding community of adjacent urban medium and high density residential.

If you could point that out, Gordy, there's R-18 zoning, it's a large vacant, very large vacant -- it's more than 20 acres of R-18 zoning there, and to the south there is R-43 zoning as well. And R-43, as you see there's other R-30, R-18 and even south of that urban medium or urban high density, there's a very large R1-6 community. Under the location criteria the request for community commercial designation states that

community commercial center areas provide services to several neighborhoods in urban areas of the county. New community commercial areas should generally be between 5 and 20 acres, this site is 21 and a half acres, very close to that.

Also the -- it also suggested that there shouldn't be a lot of the same zone within a two-mile circle and so I did a two-mile circle map and I only found three vacant C-3, very small C-3 parcels within that two-mile radius. Now there is, however, a large cluster of CH zoning, and you can see that, that is where the Costco, HomeDepot, that large cluster of CH zoning is there, it is not C-3 zoning though. We do feel like the site if you looked at it in a larger context, the site is a part of the commercial residential node located on Andresen and 78th and 88th Street, as well as the entrance and exit of I-205. Furthermore, it could be argued that the proposal for additional community commercial in this location is appropriate because it supports the goals and policies encouraging a nodal urban form that supports a diversity of commercial services and residential development. And I do believe there's quite a variety here when you look at the zoning of R-18, R-30, R-43, R1-6, CH, and this would create a C-3 piece.

In transportation it is clear that this change may result in development which could impact the transportation system, but it would really depend on what's developed there. It's a pretty new church, it's a very large new church, we personally don't see it within the next ten years redeveloping, but there could be additional commercial on the campus so some of that parking lot could turn into commercial use if we changed it so that would be -- that's something to consider. And all the urban services are available on site or near the site as well.

LEIN: Any questions of Ms. Towne?

DELEISSEGUES: Well, just a comment. I think a recording studio is a lot less invasive than either of the other two, the dance hall or the martial music, because they're soundproof. I mean a recording studio is built so that no sound leaves or enters.

TOWNE: And, you know, we agree with you, that's why we as staff would like to change the code to allow that very clearly in commercial use, in commercial zones. I think that there's a possibility the representative would argue that you could interpret that it is allowed in the commercial, we feel like it's a little bit ambiguous though.

BARCA: So we're looking at splitting the R-18 designation there for all of the church properties to the east --

TOWNE: That's correct.

BARCA: -- changing commercial, so that's 21 acres roughly?

TOWNE: That's correct.

BARCA: And that leaves the parcel, then, as a single entity as R-18. What is west of that for the designation? Is that -- it is CH?

TOWNE: I believe it's CH. Does the other map show it more clearly?

LEIN: Yeah, it's CH on the other map we have.

TOWNE: Yeah.

BARCA: Okay. So I guess I'm wondering why that one line is drawn down the middle of that open space as opposed to being a little bit further to the west where there's actually a road?

TOWNE: Well, Ron, I actually think that's another mapping error.

BARCA: Okay. For the record, that's a mapping error that will get fixed.

TOWNE: Well, you know, you start looking at these requests and changes and then you look at it and go, you find other things that occurred.

BARCA: Okay. Because I'm already seeing us starting to figure out a way to box in another R-18, especially with the context that it looks like it's all one use right now.

TOWNE: There's one ownership. And that large parcel, and like you said, that zoning line does cut off to the west the parcel line. It's a very large vacant piece though.

BARCA: Okay. So we're going to create 21 acres of C-3?

TOWNE: If you approve it, that would be correct.

BARCA: Okay.

LEIN: And the church doesn't have any problems with their conditional use permit in a C-3?

TOWNE: What would you go further with that question if I understand it?

LEIN: Well, they have a conditional use to be there --

TOWNE: Right.

LEIN: -- correct?

TOWNE: That's correct.

LEIN: So that would still have an overlay to a C-3 if we redo the zone?

TOWNE: A church is also a conditional use in commercial is Bob Higbie's -- I can look it up.

BARCA: Do they have to reapply?

LEIN: No. Mr. Horenstein. Take your time, we have to change some paper here.

HORENSTEIN: She knows I talk fast. She just wanted a break.

RUPLEY: While she's not writing, Mr. Horenstein, we do have a question for you.

HORENSTEIN: I'm sure you do. Thank you. For the record, Mr. Chairman, members of the Commission, my name is Steve Horenstein, 500 East Broadway, Suite 400, here representing Crossroads Community Church. I want to thank Sandra for her help on this one, this one's a little strange and we have struggled with it, not whether it's a good idea but how to characterize it for quite a bit of time and we actually proposed community commercial as I recall and up until a week ago that's or so that's where we were headed.

TOWNE: General commercial.

HORENSTEIN: General commercial, I'm sorry. And then the issue of the ambiguity came up. Music studio, recording studio, to me it's one and the same, but I do agree with Sandra that if we could fix it, it would be a little more clear. Had we not included recording studios in the industrial zone we probably wouldn't be discussing it. But in any event I'd like to support the staff analysis and not spend time on that but rather describe what's really going on on this parcel.

This is a built-out parcel at this point, it has an original and then a subsequent conditional use permit and it is now a very large church facility, it holds 2300 folks in its sanctuary, it needs all the parking it has and then some. Part of the conditional use permit is to require actual traffic direction by real live people on Sunday morning for the services that it has it's so large. It is what it is and it's going to stay that way. The issue of the coffee shop and the book store I think Sandra and I decided are pretty much nonissues. The book store is open before and after and between the two services on Sunday morning and on very rare occasion Wednesday night when they have an author presenting a new book, so it's very ancillary to what the church is doing. And the same with the coffee shop, it really is just coffee service and rolls in connection with the services that they have on Sunday.

The real issue here is the recording studio. It is a state-of-the-art killer recording studio I'm told. It is. And music is a big part of the culture of Crossroads and the studio was originally put in for their music students to do their recording and make their CDs. There is a great deal of interest in other churches and educational groups using this recording studio. It's better than the commercial ones in the metro area in terms of its quality and complexity and of course it doesn't cost near as much for them to use it. So there's a lot of pressure to do it. And to be real honest, I think they've done it a little bit already and they would like to make that service available to the churches and the schools at a much lower cost than they can record anywhere else and really at the end

of the day that is the reason for this request.

The site isn't going to change with this zone, it's fully built out, the recording studio is in the facility, it doesn't require another building. We would just like to further their sort of broader cultural and community purpose by making it available at low cost to other similar groups.

LEIN: Would the book store and coffee shop be in the existing facilities?

HORENSTEIN: They are. They're just services that are provided, yeah. But had I the right to do this over I probably wouldn't even mention those, they're just not that significant.

LEIN: Any questions of Mr. Horenstein?

HORENSTEIN: Thank you.

LEIN: Okay, thank you. Anyone else wishing to testify for or against this application? If not, we'll return to the Planning Commission. Desires of the Commission?

DELEISSEGUES: It sounds like a straight, straightforward proposal to me.

RUPLEY: I move to **approve**.

LEIN: Is there a second?

SMITH: **Second**.

LEIN: Any further discussion?

MOSS: No.

LEIN: Could we have roll call, please.

ROLL CALL VOTE

MOSS: AYE

BARCA: AYE

SMITH: AYE

RUPLEY: AYE

DELEISSEGUES: AYE

LEIN: AYE

HORENSTEIN: Thank you.

B. 2004 Dockets-(Site Specific Requests) amending the 20-Year Growth Management Comprehensive Plan:

D2004-130 (Port of Camas/Washougal) The property owner is seeking to redesignate and rezone parcels 175050-000, 175464-000, 175471-000, 175478-000, 175479-000, 175495-000, 175534-000, 175535-000, 175474-000, 175476-000 for approximately 84 acres from Rural District (R-5) to Airport (A) located on NE 267th Avenue. Staff contact **Sandra Towne 360-397-2375 ext 4544.**

TOWNE: Okay. Moving to the next docket. D2004-130, sorry, I'm starting to go too fast, for the Port of Camas and Washougal, Grove Field Airport. I have some handouts for that, they didn't -- the maps did not make it in time for the copying of the staff report so these need to be handed out.

DELEISSEGUES: What's the difference between these two maps?

TOWNE: You do have a map in your book that is just the zoning map which is the first one that we'll have up and then we'll explain the packet that I handed out later.

RUPLEY: The boys aren't behaving.

LEIN: They'll pay attention for you, Sandra.

RUPLEY: Sorry. Yeah, the boys aren't behaving.

TOWNE: Should I start?

LEIN: Yes, please.

TOWNE: The applicant is requesting a plan amendment and zone change from rural district with R-5 zoning to airport designation, airport zone, for ten parcels and to change the existing, the parcel where the existing airport is to change the designation. The zoning is already airport but the designation is Rural-5, so that that's a part of the request as well. So all the parcels were changed to airport with airport zone. In addition to the designation and zone consistent with the existing airport zone, and I'm sorry, I'm reading wrong here. In addition to the designation and zone change the Clark County Code 40.250.010B requires that an airport environs overlay, which would be the AE-1 overlay, should be placed over existing general aviation public use airports to identify and help protect the airport fly space. The first map of all the maps I had just handed you shows you that overlay and how much, it's a 2,000-foot direction both, all ways from the existing airport. The application of the AE-1 overlay zone extends outward from the airport runway approximately 2,000 feet as is shown on the map that I just handed out.

The Port of Camas/Washougal has recently acquired all of the parcels that you see there with black dots. It's approximately 84 acres, they own all of those acres, and

they're wishing to change those parcels from R-5 to airport to protect the existing airport and for the future. The following is taken from the Port of Camas/Washougal's letter of request. The Port has no plans at this time to develop any of the acres that are included in the request. The Port is taking the position that there will be needs in the future for an expanded airport and this is the first step towards securing adequate resources when the need occurs. The Port of Camas/Washougal's comprehensive plan for the airport supports the acquisition of land to provide for the future needs, but it does not at this time support development of the newly acquired land around the airport; therefore that would have to be amended prior to ever considering development of these new parcels.

The so-called airport clear zones are established by the Federal Aviation Administration in relationship to existing runways. In the Port's land acquisitions and request for rezoning will have no impact on the length or location of neither the runway nor the dimensions or location of the clear zones, so there's no effect there. In addition the FAA is in the process of providing funds to the State of Washington Aviation Administration to be used in a comprehensive study of state airports of which Grove Field is included. And a specific time frame hasn't been given yet, but they are hoping to provide funds to these airports.

The staff is recommending approval to modify the comprehensive plan from Rural-5 or Rural District R-5 to Airport (A) with an AE-1 overlay and it's based on the following: We found that most of the GMA goals are really not directly applicable but that the request may be considered consistent with Goal 3 which encourages efficient multimodal transportation systems and based on regional priorities. The most applicable would be the 20-year comprehensive plan policy that states that quite a few actions when considering application of airport zoning needs to be met. And there's a long list of those, I'm not going to read them all, they're in your staff report, but what's important for you to know that what this policy refers to is a study to occur, and that study has already occurred and we have a copy of it, it was past the final report February 28th of 2000 and it was a full report, there was a task force and it was a full report on existing airports in Clark County, what their needs are, how to protect them and that, those sorts of things and it lists -- it goes through and actually responds to each one of these requirements in the policy.

The location criteria for airports is pretty ambiguous. It's the criteria merely states that the airport designation is applied to public and public use airports. This is a public use airport, they have purchased additional land and wish to change it to the airport. The proposed parcels surround the existing airport and have been purchased by the airport. Transportation issues. The analysis concludes that the proposed change would result in development that would impact the transportation system less than the subject parcel of R-5. And because it's in a rural area there are not urban services, so that criteria really doesn't prevail.

That is what I have to say about the request. I do know that several people are here representing the request that know far more about airports and the requirements of airports and would be able to answer questions better than I can if you had questions

about clear zones and any of those kinds of questions.

LEIN: Questions of Ms. Towne at this point? If not, representatives of the -- excuse me.

MOSS: Just a moment. Sandra, what effect, if any, would this have on surrounding rural parcels and particularly the regulation of those in our County ordinances?

TOWNE: Well, I mean the only effect would be that eventually if those parcels, if the airport was expanded into them then surrounding parcels, the airport could become larger.

MOSS: No. My question really was, I'm not familiar with airport zoning and designation and haven't looked at that very much at all.

TOWNE: Oh, what uses are allowed under "airport"?

MOSS: No. What I'm thinking about is are there any County regulations that would impact the abutting rural parcels such as there are with resource lands for example, you know, increased setbacks where you adjoin resource lands. Are there any?

TOWNE: Not that I know of. I do know that --

HIGBIE: Clear zones.

TOWNE: -- there's clear zone issues and there's the AE-1 overlay and the overlay allows certain -- only certain heights, you can only have certain heights within that zone, and the clear zone you can only have certain heights.

MOSS: Is that zone established, though, by the designation of the parcel or by the location of the runways?

TOWNE: The location of the runway.

HIGBIE: Centered on the -- the clear zones are centered on the runways.

TOWNE: Take a look at the maps that I sent you that I put out, that will really help you understand that, it's specific distance from the runway and it pitches up.

MOSS: If I'm understanding what you're saying then, because there is no change in the airport facilities proposed at this time, there really is no effect on abutting parcels?

TOWNE: That's correct. Except again I want to state that the AE-1 overlay has restrictions to the heights, but it's like maybe a cell tower might be not allowed, something very tall, and that would be it.

MOSS: Thanks.

BARCA: And the proposal is all of the parcels that are shown on the black dots to be changed to the airport designation?

TOWNE: That's correct.

BARCA: And so would you run through again just what are the approved uses within the airport designation, please.

TOWNE: Yeah, I do have that here. Just a minute. I tagged it so I knew someone would ask that question. So under "airport" most of these uses are allowed if it's in an urban area, so this is in a rural area, so like restaurants and drinking places are only allowed in airports that are in the urban area, so that doesn't apply. I would have to thumb through here to see what applies. Outdoor public entertainments, amusements and assemblies under -- what does RA stand for again?

HIGBIE: Review and approval.

TOWNE: Review and approval, only under review and approval is allowed. Aviation clubs under conditional use are allowed. Air pilot training schools under conditional use are allowed. Aerial mapping and surveying is permitted. Air cargo, warehousing and distribution facilities is allowed with condition. Helicopter pads, repair service and storage of aircraft is permitted. Service to commuter airlines is allowed with conditional use. Taxi and bus terminals allowed with conditional use. Truck terminals, no, that's only in urban growth areas so that doesn't apply. And then uses necessary for airport operation such as runways, hangars, fuel storage, control towers are permitted. Agricultural activities are permitted. On-site hazardous waste treatment and storage facilities subject to State siting criteria are permitted. And buildings or structures which exceed 35 feet in height are conditional use. Let me see if there's anything more here. Utilities other than wireless communication facilities is permitted. And solid waste handling and disposal sites are conditional.

BARCA: Thank you. That's a lot.

LEIN: Any other questions? Is there a representative of the applicant, please.

TYLER: Good evening. The way you're going I have you finishing at 1:30 tomorrow morning. I commend you on your endurance. My name is Sheldon Tyler, I'm the Executive Director at the Board of Camas/Washougal, 24 South A Street, Washougal 98671. With me is John Raynor, a consultant I've been using to help me with this project.

A couple of things to correct some of the staff report if I may. The properties have been acquired over many, many years starting probably back in 1974 and the last one was acquired six months or so ago. The effort here is to try and get all of the properties that the Port has purchased over the years into one zone for future use, at this point nothing really planned except that it just came up last Monday and approved by the Fire District

9 Commissioners last night was the request, or night before last, pardon me, was the request to perhaps build the fire -- a new fire station on the airport property. That would have several benefits to both the fire district and to the Port and maybe the Port acquire the Fire District 9 Station 1 facility out there for future rental use.

Monies for what they call ALP, Airport Layout Plan, have been approved by the FAA working through State Aviation for a airport layout plan slash master plan for the airport for possible future development. There is a potential for monies for the acquisition of the mobile home court perhaps at some date future. The Commissioners are trying to provide a little larger facility out there to try and make it a viable facility should there, something happen to Evergreen and other airports in the area. If this plan -- at this point the only plan we have right now is to add two hangers to the piece of property that has the big A on it, there are no plans to go outside of that boundary at this point, although that may happen in the future. I'm here to answer any questions.

SMITH: Obviously what you're doing is trying to avoid what happened to Evergreen Airport apparently.

TYLER: Well, the, yes. Yeah, the Commissioners that purchased the piece to the east of A, a 32-acre piece, that's on the, that's on the east side of SR-500, obviously we're not going to do anything with that. The concept is airplanes taking off to the east make a dog-leg and fly out over that piece, we've cleared it of most of the trees except for the east end so that if an airplane gets in trouble, hopefully he's got a place to put down. The piece to the west of Delp Road we purchased in 1980, logged it and that is the same purpose as -- the old terminology is clear zone, they've got new terms now, object free zone, runway protection zone, and I don't know what others.

LEIN: Other questions of Mr. Tyler or Mr. Raynor?

SMITH: Yeah. It doesn't look like you have any other runways in mind or a north/south runway or --

LEIN: North/south.

TYLER: No. I think right now the concept maybe is to put a -- oh, I started a sentence and I can't finish it. What do they call those, emergency evac, emergency evacuation heli, heli landing thing out there, but no plans yet. The only plan right now is the two hangers that were before the County for a building permit and the concept that came up just two days ago, the idea of building a new fire station on the facility. I guess the existing fire station doesn't meet earthquake code so they got to build a new one.

LEIN: Other questions?

BARCA: Yeah. Are you working with the strategy right now as properties come on the market you're picking them up just to expand the boundary? I'm looking specifically at this one parcel to the north that you've picked up and trying to understand the logic behind that one.

TYLER: That one little piece of property just to the west of 267th there?

BARCA: Yeah.

TYLER: Yes. We acquired that back in 1983 when Riverview Bank developed the six pieces to the west of that and that was a little 2.4 acre piece leftover that the Riverview Bank gave to the Port as consideration for allowing them to have access to the runway. So we have an easement access agreement with those six parcels. There are six 5-acre parcels up there where the taxiway is on private property so we have an easement for the taxiway and then those property owners have an access to the runway. So that little 2.4 acre that was acquired in '83 is kind of a what do you call it, not foster child, leftover piece.

BARCA: Okay, thank you.

LEIN: Thank you very much. We've got some people signed up. Glenna Dumford.

PUBLIC TESTIMONY

DUMFORD: I just had some questions so. Okay. My name is Glenna Dumford. I live at 27501 NE 9th Street and I was wondering if they put the airport it's, you know the -- there's A and then there's the one with the little dot over there, that comes in back of our property. And ours is like, oh, go down like right, no, go down, where the little, no, down, that way, go that way.

TOWNE: East.

DUMFORD: Yeah. Right. Okay, keep going, keep going. Okay, right there, that's the back of our property right there. And I was wanting to know if they do that is that going to make our property worth less, can they condemn it, and will it create building restrictions. And that is wetland there so I don't know how they're going to do anything there. And how about -- I want to know about the noise pollution because right now the planes come in and they were only supposed to have small planes there, but now they've increased it and bigger planes come in and it's really loud. And there's a creek that crosses that property, I wanted to know about that.

And he said about the Evergreen Airport, I was thinking about that with Evergreen Airport closing more planes will be coming to Grove Field so that's what I'm thinking. And then somebody mentioned to me that they were thinking about making a heliport and I thought if they put that in back of our house, that's just going to be just great. And that's about all I was wanting to know.

LEIN: Well, I wish we could give you answers to all of those but --

DUMFORD: Well, I mean will you guys consider those things, you know?

LEIN: Certainly. I think it's primarily a zone to land planes on that parcel, is that not correct, on the east parcel? I mean in emergency cases.

TYLER: Well, the idea of an emergency evac, not an emergency evacuation, emergency medical landing facility that would be on the airport property, but we're not planning to do anything on the property to the east.

LEIN: Correct.

DUMFORD: Okay. They said they're not planning to do anything now, but what about next year, you know.

TYLER: I think any plan to do something there would impact on 267, I think 267th would either have to go away or tunnel under it. You know, I see that piece as just kept clear for clear zoning.

DUMFORD: Well, let's hope so. Thanks.

LEIN: Nola McPherson.

BARCA: Can I just say something. I don't recall your name, but you did ask the aspects of restrictions and according to this map it looks like your property is already in the overlay that's in existence so.

DUMFORD: Which means what?

BARCA: Whatever restrictions are on the overlay for building purposes the proposal won't change that, but it has the appearance that you're already in it.

DUMFORD: Well, we're not developing anything.

SMITH: You can't build a building five stories high or something.

BARCA: You're not going to be able to put a cell tower on your property like you were hoping.

DUMFORD: (Inaudible).

RUPLEY: You could build a tower to watch the planes come in.

LEIN: Go ahead.

MCPHERSON: Me. My name is Nola McPherson, 25822 NE 3rd Street, Fern Prairie. I'm --

TOWNE: Point out where you are.

MCPHERSON: Should I turn it on?

TOWNE: There's a little dot on the -- there you go.

MCPHERSON: Let me know if I'm speaking too loud, I get really frustrated when I'm back there and I can't hear people that are speaking so if I'm --

LEIN: Well, speak up then.

MCPHERSON: Okay. So I'm a little nervous and it's late. I am at right there. I don't know, you might want to do this. I am actually a new old resident of that property. My parents bought that land in 1965 and myself and my siblings were raised there and my husband and I are now buying it from my parents and they will remain there for the rest of their days and we plan to remain there for the rest of our days. And this came up, we just got a notice in the mail because we recently placed a mobile home there. We are not yet living in it, we're in the process, we're just selling our home and moving out there now.

There has been some talk over the years about the possibility of, let's see if I can do this without going all over the map, I am nervous, Delp Road right about there being vacated for future expansion of the airport. And even though they're not planning on that now, I actually have papers here that I obtained from the Port Web site just this afternoon, this one really scattered here, as far back as 1979 they were talking about the need for expansion. Studies were done in I believe it was 1984, 1986 and again in 1990 citing the need for future expansion and we're now at 2004. And even though as I said Mr. Tyler said they don't have any plans for it now, what about five years down the road, ten years down the road. And if that were the case, if that portion of Delp Road were vacated from that point where 3rd Street comes off Highway 500 up to, and we go all the way on up there to where it comes back into Highway 500 is about a two mile stretch more or less, I just kind of graphed it out on the paper there, on the mileage marker, and if -- and there are a number of small businesses on that road, some of which have been there for many, many years, there's a chain saw, there's a small engine repair, a saw sharpening, there's a nursery and I don't know what else is there, there have been a few tree farms, Christmas tree farms off and on over the years.

And my husband and I actually started working on that land on NE 3rd Street. Last year we built an agricultural building with the plan of starting a market gardening business where our primary point of sale will be a roadside stand which is permitted in that area, in that R-5 area, and we actually have obtained our business license and registered our tradename and started developing the land toward that effect and if that road were vacated that would effectively kill a lot of those small businesses that rely on drive-by traffic. And even if it's not planned to happen within the next year or two years or five years, I'm 45 years old, I plan to be working for another 30 years depending on medical advancement, and that is my concern and the concern of a lot of the neighbors is if that road is eventually vacated for the recommended expansion of the airport.

Let's see if I missed anything. Another thing I was concerned about is notification, public notification. Apparently there were not a lot of people that were notified. I don't know what the notification laws are, if it's just adjacent land owners or within a certain radius, but from the points I showed you to where Highway 500 takes off that way and then it meets back up there, I just did a rough dot, dot, dot on the little map I got in the mail from the Planning Commission and came up with more or less 100 individual parcels. I know on many of those parcels there is more than one resident and that is a lot of people that could be impacted by the eventual closure of that road effectively creating two dead-ends and what are the laws for notification.

As you can see there are not very many people here, and just that stretch of road this is a very small representation of the neighboring community, people that could be adversely affected like this by this many years down the road. What about fire department input for safety and future expansion, Fire District 9, that should be taken into consideration. And the possibility of future annexation by the City of Camas because as we all know Vancouver is here, Washougal is here, and the Columbia River is here, the only way Camas can go is to the north and they just recently, just in this last year, annexed out to about approximately, again I'm just kind of pencil, fingered it out on the map about a mile and a quarter south of where Highway 500 makes the bend, right there, about a mile and a quarter south, and so there's -- it's pretty much assured that within -- I'm sure within the next 10 or 20 years there's going to be future annexation moving on out into that area.

I think I may have got everything, probably not, but I think I hit the highpoints and that is the concern is not what's going to happen today or tomorrow, next week, next year, but really what really are their plans for 5 years, 10 years, 20 years down the road, and probably the people that are representing the Port today may not have any say about what happens 5 or 10, 15, 20 years down the road. As one of the neighbors pointed out, once they get that airport designation and then they can come in later and say, well, we already have the airport designation so all we need to do is condemn this road. Oh, that's the other thing, the Port of Camas and Washougal does have the powers of condemnation which is a huge power and we're talking a lot of people being, that could be affected by this. I don't want to have to move when I'm 65 or 70 years old because they keep growing. It's a small airport, it has minimal effect on the neighboring community, it needs to remain small. And I guess that's about it. Any questions for me?

LEIN: Any questions from members of the Commission? Great, thank you very much. Jamia Buttkke.

BUTTKKE: I'm Jamia Buttkke. I reside at 26711 NE Hathaway Road. I'm on the corner of 26 -- NE 267th Avenue and the corner of Hathaway, right on SR-500 there. I have some questions myself. This started off as the panic in the neighborhood that they were building apartment complexes, but they just moved my train of thought elsewhere because, anyhow, and I'd like to store some fuel at my -- if this goes through then I'm going to do fuel storage anyhow. My questions, well, my first question is how big are the parcels that are in question that are being rezoned. I mean how -- what are we

talking, because I was told that there's a five-acre minimum out there. Now of course that's for housing development, single dwelling families, but as far as airport zoning what is the parcel minimum/maximum?

TOWNE: I don't believe there is one. All of these parcels are -- would be airport and all of them together are 84 acres, but there's not a minimum or maximum. And they're already parcelized, I mean it's already parcelized out there, there's already smaller parcels than five acres and there's larger parcels than five acres, so I don't think airport really makes the difference in the size of the parcel.

BUTTKE: So if they decide to -- let's say they go under like Evergreen or something and they decide to they're subdivided, can they sell those parcels to businesses or -- I know it's not a commercial zoning, but I mean can it be, those parcels be sub --

EULER: Only for uses that would be allowed there.

TOWNE: But could you make them smaller parcels is what she's asking. Could you subdivide a ten acre into something else because I don't think there's -- that's a good question. I don't think there's size to it.

BUTTKE: I guess I, from what I understand from NE 76th on there's five-acre minimum. I know you're probably wondering where I'm going with this question. I guess my question is for the future of let's say the airport doesn't expand and then what is to be done. You know, if they sell all these parcels, what are the parcel sizes?

TOWNE: Just try and answer that question for everyone, lot requirements in the code, zoning district airport, none. Minimum lot area, none. Minimum lot width, none. And minimum lot depth is 100 feet.

BUTTKE: From? From what, easement?

MOSS: Just if I could, you read all the uses and I just want to remember one. Is single-family residential a permitted use in that zone?

TOWNE: No.

BARCA: No. No residential use.

BUTTKE: So as long as it's zoned airport there's no --

BARCA: They can do all that list of things that Sandra mentioned earlier and none of those include the aspect of being able to reside there. They have to get a conditional permit to even have a club.

BUTTKE: I'm kind of a rock and a hard spot. Where I'm located, I don't know if we need to point that out on the map, but I've got the Cemetery Commission behind me and the airport just about 100 -- well, from their first parcel there on the corner I'm about

100 feet. So I have some concerns. One of my, my next big concern on the, and I know they're like they say, they're not planning on development, but I'm going to requote Sarah. Or I'm sorry, is it Sarah? Mrs. Towne, I'm sorry.

TOWNE: Me, Sandra.

BUTTKE: Sandra, I'm sorry. That even though there isn't current development or plans for current development, development can take place. Now it's not so much the land use that's bothering me, it's the air use. I know that they tried to get some -- had talk of Learjets coming in, they wanted bigger hangars for bigger taxiing in because PDX was too far from Wafer Tech and for the business people to fly in and come into Wafer Tech and that the outline in Camas, computer plant businesses that Evergreen or Camas/Washougal airport was looking at, you know, using some of that business as, you know, flying in business people, but that would take bigger airplanes to do that.

TOWNE: I don't know that. Could this airport have a Learjet at it, I think it needs a lot bigger runway than this would allow.

BUTTKE: Well, but I, you know, I mean -- well, how big can the aircraft get if they get this expansion?

TOWNE: I couldn't answer that but maybe someone else could answer that, I don't know.

TYLER: The 2800 foot runway right now pretty much limits it to what's there. The Aero Commander that's there is a special performance airplane, I guess they could design special performance airplanes to come in and out of a short runway, but you'd have to shut down Delp Road there and extend it more way to the west to get Learjets in there now.

BUTTKE: But that could happen?

TYLER: Yeah.

BUTTKE: And another point I want to bring up is airport security with the recent 9/11, 9/11 incident where we had airports that were forced to go into a high security state, I notice that our -- the airport that we are in discussion of did put some fences up and locking gates, you know, et cetera, et cetera. Do they plan now that they own these parcels or that they own these parcels there's and they want them rezoned, are they going to do any additional security around the parcels as well as their airport runway and hangars that they have now that they have just secured.

Let's see. I think I have one or two. I had one more question for Sandra. You said something about the FAA funding, that they were -- that you said the FAA was producing funds for airports such as this. For what, for development, for --

TOWNE: The FAA is in the process of providing funds to the State of Washington

Aviation Administration to used in a comprehensive study, so they do a study of state airports of which Grove Field will be included. So they are just going to be looking at my guess is, and I'm not, I'm not real familiar with this, but they will be looking at the needs and the future possible uses of all airports in the state because preservation is -- of existing airports is a goal of the State for transportation reasons and --

BUTTKE: As of now, I mean, it's actually the State Route divides the two runways. Has the State had any participation in this at all I mean as far as, do they --

TOWNE: I don't know.

BUTTKE: Okay. Sorry I'm asking you questions.

TOWNE: No, that's okay.

SMITH: Two runways, I guess I don't understand that, there's only one runway.

BUTTKE: Well, the State Route --

TOWNE: Not two runways.

BUTTKE: The east, the east location that they were talking about that runs south of 9th earlier is considered part of their runway. Even though they're not landing on it and using it as a runway as the gentleman said that it could be used as --

SMITH: Oh, okay. As part of the runway environment I guess.

BUTTKE: Correct.

EULER: Environs.

BUTTKE: I would -- you said, Sandra, something about a 100-foot leeway or 100 foot with a 100-foot boundary. My -- the adjacent forest across from SR-500 from my corner lot, you know, they were talking about clear zoning and I'm just wondering what the laws and provisions are with the clear zoning versus the boundaries?

TOWNE: I'm not sure what your question is. Do you want to know what a clear zone approach is or --

BUTTKE: If this is rezoned here on the corner there's two where it says NE Hathaway there there's a dot right over the E for east.

TOWNE: These two here?

BUTTKE: Yeah, those two there.

TOWNE: And what is the question about those?

BUTTKE: My question is if those are rezoned are they -- will they be able to do their clear zone lumber --

TOWNE: If I understand this correct that those two parcels won't have really anything to do with the runway. The runway runs this way and they're not planning if I heard that right, and please correct me if I'm wrong, there's no plan to have a runway going this direction, so these two parcels would not have a runway on them. I think that it was mentioned possibly there could be a helicopter pad some day on there. But am I correct?

TYLER: Well, I think the plan right now is to put the MediVac on the airport proper and on --

BUTTKE: Oh, on here, okay.

TYLER: But the two pieces of property that she's referring to the, Gallus (phonetic) property, 24 acres that we purchased six months ago, could be cleared and developed according to that list that we read.

TOWNE: So it wouldn't be used as runway, but it could be developed for some other uses under airport.

TYLER: The clear zones are off the end of the runway, there's no change to those at all.

BUTTKE: Well, if there's a helicopter pad put in do they have to obey by the same flight patterns as the Cessnas?

TYLER: They're not required to. They already use it for MediVac anyway, this would just be a designated spot.

BUTTKE: I do believe that's all that I have for now. Are there any questions?

LEIN: Thank you very much. Any questions? Thank you.

BUTTKE: Thank you.

LEIN: Chuck Dowd. Did Chuck go home? Chuck, do you have any comments.

DOWD: Other than I was just wondering --

LEIN: Could you step up to the microphone please, Chuck.

DOWD: Oh, okay, excuse me.

LEIN: Will you please state your name and your address.

DOWD: I'm Chuck Dowd and I live at 25705 NE 3rd Street, right where it turns, turns the corner and goes to 257th, and I've resided at that address for 33 years. My only question I have is what with the possibility of the fire department moving over on the Port property in the future and the expansion, what's that going to do to the tax base of the community of Camas/Washougal?

LEIN: I don't think it would impact the tax base because the fire station is a -- you don't pay taxes on it, it's a public facility.

DOWD: Okay. And then the Port would acquire the property that the existing fire station's on; correct?

LEIN: That was what they discussed.

DOWD: Okay. All right. I have no problem with the airport, they've been very good neighbors. I know quite a few of the pilots personally, they're all a bunch of nice, nice fellows out there. I do have problems with on weekends I don't think they observe the flight zone, they turn south, they climb rather rapidly and turn south and there's quite a bit of racket that comes over my house from time to time, but it's only a handful of pilots that I believe is responsible for that and I think that's a problem that can be dealt with if I really wanted to deal with it.

I am opposed to expanding it and the impact it would do on the community as a whole. With the Evergreen Airport closing down, it's obvious that a lot of the planes will be moving out our way and, you know, the increased traffic, you know, I don't think it would be, be good for the neighborhood at this time. There's a lot of older people that live there and we enjoy the quality of life that we've, that we've had there for all those years. And like I say, the airport was there long before I moved in and I'm not one to move in and say, you know, get rid of the airport, get rid of the dairy farm and all that, but I do think we ought to really look at the growth and what's happening to the community. We let one piece of property go that should have been made into a park but that's another story up on the old black forest, and I think Fern Prairie's probably the last piece of property in the area where we still have a little bit of rural living and I would like to see my grandchildren grow up and enjoy it as I have and as my children have. That's all I have to say and thank you.

LEIN: Thank you. Anyone else wishing to testify? If not, we'll return this to the Planning Commission for discussion. Questions?

BARCA: Can somebody point out this piece of fire department property that's come up a couple of times. Is it relevant to this discussion?

TOWNE: Sheldon will have to do that.

TYLER: It's right on the corner of NE 9th and 267th, right up there. Yeah, right there.

LEIN: Thank you. Any other questions or comments?

BARCA: It seems like there's a couple of issues to take into account. One is the clear zone property that the Port has acquired that is adjacent to each end of the runway and those are zoned R-5s now, it seems like it would be appropriate to get them out of the inventory and show them for what they're really going to be used for which is public facility based on the airport requirements. The piece of property that's just underneath the dog-leg of the A designated parcel --

TOWNE: This one?

BARCA: As soon as Gordy points to it I'll say yes or no. There you go.

TOWNE: That one?

BARCA: Yes, that one. And that too for me makes sense to go ahead and tie the whole scheme together. Then I have to wonder about the aspects of starting to expand the boundary north and south and what we're really going to be setting for precedent by doing that. So I'd kind of like to see if the Commission's got any discussion moving in that direction, the aspect of an east/west expansion versus north/south.

LEIN: Well, north/south they don't have enough land to do any runway north/south. It's legitimate to look at the potential of further development south of the A in my mind. The east and the west zones, picking those up are for the emergency potentials if a pilot needs to come down, but I agree they need to be designated instead of R-5 let's get them into an airport area.

DELEISSEGUES: Isn't that what we're going to do is make them all A?

LEIN: Yes.

BARCA: But my, I guess my discussion is in the aspect of going north and south, then we are basically sanctioning the Port to go ahead and add other types of activities out there that are allowable within the airport designation and I think that's part of the concerns of the people that have come out here tonight is the aspect of within Fern Prairie and their rural lifestyles what other types of activities could be taking place out there and is it compatible. Obviously it's compatible with the airport, but is it compatible with what has been Fern Prairie's lifestyle by precedent.

DELEISSEGUES: Well, a lot of those uses were conditional. I mean whatever use they propose would still have to come back for a conditional use permit. There's a lot of things that could go on in an airport that would be very appropriate and be more of what they're doing now like tie-down areas, additional storage areas for hangers, all sorts of things like that that wouldn't cause any problem, so I don't see any mystery about that.

BARCA: Well, that's one of the available uses I guess. There was a list that Sandra went through that even though they are conditional, we are basically then saying that

then we're going to have to go through the aspect of everybody that's there will be justifying why that shouldn't be taking place because the proposal then goes forward.

DELEISSEGUES: It's kind of like worrying about the hobgoblin on the horizon right now, deal with the here and now and the issue before us, we deal with that when it comes up.

BARCA: Well, maybe it's more appropriate to use the analogy of the Genie in the bottle but, okay, hobgoblins it is.

MOSS: No, I think, I think the question is a legitimate one though, and that is are we prejudicing the future decision making process here by designating all of these parcels as airport. Doesn't that, you know, implicit in that isn't there an understanding that any proposed airport type use on these parcels in the future would be at least off to a running start for approval. You know, in looking at this I kind of had the same questions in my mind, Ron, that you expressed, and that's that particularly that one little two and a half acre parcel that's hanging up there to the north, I'm trying to imagine what the use of that might be and if there is really any advantage to giving that an airport designation. And I'm wondering also about the two to the south.

And I guess while I'm wondering, I understand the use that the Port has proposed for that parcel in going out to the east there that, you know, that's relatively benign. You want to own it, you want to keep it clear, you want emergency landing on that, but I'm wondering if it's in the Port's ownership don't you have that power right now and is there a, is there a real advantage to having this airport zone on that parcel. And I'm sorry that it's taken me so long to develop these questions, I should have been asking them when you folks were up here testifying but --

TYLER: I think the concept was just to (inaudible) everything that the Port owned into one request to try (inaudible). I guess it's my understanding the State has mandated the protection of those areas of statewide significance of which airports are designated and the idea was that now that we have acquired all of the properties that we think we're going to acquire for the immediate future was to just to keep -- lump them altogether into one request and come to you. You're probably right changing the zone on that piece on the east, changing the zone on the piece on the very west probably isn't going to impact on them at all because we're going to keep them clear for emergency touchdown. The two little dots just to the southeast of the A are two little pieces, correct, those two pieces we condemned, oh, the mid '80s. They are part of the parking lots that's been used as the parking lot ever since, so those two pieces I think are really a no brainer. I can see the issues with the other pieces.

LEIN: Mr. Tyler, again probably some questions that should have been come up earlier, but if things are identified as an airport zone in any studies that come up mandated by the Federal government or the State does it help you to have those areas designate as an airport or does it make any difference as long as you own them? Could you step to the microphone too, please. I'm thinking like the east and the west areas.

TYLER: Having them zoned to airport would allow them to be developed probably easier, but I think the roads are going to be the biggest issue just accessing, you're not going to be able to develop them for airplane use unless you do something with the roads, bury them or vacate them. So those two pieces on either side of the road would probably stay the way they are. Current Commissioners can't bind future Commissioners unless they sell the piece of property, you know, and so what a future commission might come and do I don't know. The idea of the two pieces south of the A, the two larger pieces, the 24-acre pieces, somebody was talking about putting a fire station there. I hadn't really thought of putting the fire station there, I was thinking of putting the fire station on those two little dots just southeast of the A, yeah, putting it there and using our parking lot. The beauty of that is one that they could stay where they are while they build the new station, they wouldn't have to move twice.

Secondly, we're trying to eventually get City water out to the airport, we'd like to get City sewer there as well, and so running City water to that spot maybe the fire district could help us in the cost of that line, it's about a half a million dollars we're told, so there are some mutual advantages and I think it looks well to the public to have public entities sharing facilities when possible.

LEIN: Thank you.

MOSS: One further question. That parcel to the north that you said --

TYLER: The 2.4?

MOSS: Yeah, the 2.4 that you acquired from --

LEIN: Gift. It was a gift.

MOSS: It was gifted.

TYLER: Consideration given and received, you see.

MOSS: Sure, I understand. Would this designation as airport not preclude you from selling that to raise money that you might better use for other things?

TYLER: Well, the problem with the 2.4 is it's below the five-acre minimum so it's kind of an odd lot and so I don't know if we could develop it or not. Somebody said that we could put a hanger, that it is wide enough that we could put a hanger down the center and get airplanes in and out of there and I heard that we could do that on the zone that it is, but I think it would be more difficult to do that. It would be easier to do it if it were zoned airport I believe. Leftover lot, that's what we'll call it.

MOSS: That certainly may have value for other uses. It may be something that you'd want to sell.

TYLER: We probably could sell it to the adjacents.

MOSS: Well, you could sell it as a building lot. Two and a half acres is entirely buildable even though it's in a five-acre zone.

LEIN: Because it's a legal lot.

MOSS: If it was legally created, it's buildable.

TYLER: I don't know if it's a legal lot. I don't know. Yeah, I don't know. I was thinking of a picnic table, letting people watch the operations.

LEIN: Any other questions of staff? Other discussion? Hear a motion?

DELEISSEGUES: Thank you. Thank you for your testimony.

MOSS: Well, I'm inclined to make a **motion** to forward this on with a recommendation for approval for all parcels except the easternmost and the westernmost parcels. And my reason for that is I don't see the advantage of the airport designation on those two and I did hear a fair amount of concern expressed from residents here about what the future use of those parcels might be. I think that would take away a lot of the concern about the closure of Delp Road at this point. I do want you folks who are concerned about that to understand that that's a public road, that has to go through a hearing before it could be vacated anyway, so that isn't an action that the airport could take unilaterally.

But it doesn't really seem to me like there's a good reason at this time to add those, nor is there a real advantage to the airport in having added those. I guess my concern is the one that I expressed a little earlier, and that's that if we do give the airport zone to those two parcels, it implies that any airport use in the future should be, should generally be approved unless there's some compelling reason not to.

TOWNE: Which parcels are you -- would you be --

LEIN: The east and the west.

BARCA: The clear zone.

MOSS: The clear zone on the east. That one --

TOWNE: And these?

MOSS: -- and the one across Delp Road.

LEIN: Is there a second to that motion?

RUPLEY: I'll second it.

LEIN: Any discussion on the motion?

BARCA: Well, it is interesting that I was considering the aspect of partial approval of some of the lots requested but not all, but I was looking at the aspect of just the reverse of Lonnie's motion which was to only take the clear zone and get them out of the R-5 designation and to not change the designation for anything else trying to just create a line that facilitated the runways on both sides and got rid of the dog-leg that's just to the left, yeah, of the A parcel and not do the north and the south parcels because that, as you have already stated, implies basically additional airport uses being sanctioned even though they may be conditional use. So that was kind of the direction I was going which is opposite of it, but we'll have a vote now and I guess we'll find out how it turns out.

LEIN: Any other discussion on the motion?

MOSS: Well, yeah, just in rebuttal. It does seem like there's some legitimate uses of those parcels that are close to the actual runways. There's some -- there's already some of that that's in use and some areas for that certainly would be legitimate for expansion. I guess my concern was to address the expressed concern of some of the residents around here about what's going to happen with that one to the west and is that road going to close to the east. Or excuse me, vice-a-versa, is the road, is Delp Road going to close to the west. I think if we did nothing other than designate those two that I've suggested be out, we wouldn't have accomplished anything on behalf of the airport.

BARCA: Well, let's see how the vote goes and maybe I'll make that motion then.

SMITH: Well, it seems to me by making that, the leftover lot, part of the airport it seems to reduce the options they may want to do with it in the future.

MOSS: It kind of seemed to me like that too.

SMITH: You know, yeah, they may be able to put a hanger in there but maybe five years from now they'll want to sell it and do something else with it and it seems like it really hampers them. And it sounds like they could do about anything they wanted to with it now under its present zoning, so it doesn't make much sense to me.

LEIN: Do you want to amend your motion?

MOSS: I'd **amend my motion to take that northern 2.4 parcel out.**

LEIN: To the second is that agreeable?

RUPLEY: Yes, that's agreeable.

LEIN: Okay, thank you. Any more discussion on the motion? Could we have roll call, please.

ROLL CALL VOTE

MOSS: I guess I better say AYE
BARCA: NO
SMITH: NO
RUPLEY: AYE
DELEISSEGUES: NO
LEIN: AYE

SMITH: The problem we have here is there's so many potential permutations, a question comes up and if, you know, we may agree with 80 percent of it or 90 percent of it, but I don't know that we're giving the County Commissioners what they need here by voting on one permutation of a possible ten permutations, but, oh, well, we did it.

MOSS: We did.

LEIN: We're going to take a little break here and then we'll come back. Thank you for your patience, I know it's getting late, but we will get through this.

(Pause in proceedings.)

B. 2004 Dockets-(Site Specific Requests) amending the 20-Year Growth Management Comprehensive Plan:

D2001-001 (Affordable Community Environment) The property owner is seeking to correct a mapping error for parcel 104600-000 to redesignate and rezone the eastern portion from Mixed Use (R-22) to be consistent with the larger portion of the parcel zoned Neighborhood Commercial (C-2). Also the applicant is seeking to redesignate and rezone parcel 104530-004 from Mixed Use with a zone of (R-22) to Neighborhood Commercial (C-2). These parcels are located at 7301 NE 94th Street and 9703 Covington Road. Staff Contact: **Gordon Euler, (360) 397-2375, Ext. 4968**

LEIN: We'd like to reconvene the hearing, continue on with the next docket item, Affordable Community Environments.

EULER: Are you hitting the right button?

TOWNE: Yeah, I just didn't hit it hard enough. I'm getting weak I'm so tired.

EULER: Thank you, Mr. Chairman. For the record, I'm Gordy Euler with Long-Range, Clark County. This is Docket Number D2001-001, the applicant is Affordable Community Environments. There's two parts to this proposal. Sandra will assist me on it so you can see it in front of you. This parcel right here is actually split zoned. This piece as I'm outlining with the -- this part of it is R-22, the rest of this is C-2. This is the Affordable Community Environments has built Covington Commons on here affordable

housing. Part of their proposal is to move this line over so that it's the parcel is all C-2 as opposed to being split zoned.

The other part of the piece of the proposal is the other dot on the map which is up here is to change that from R-22 to C-2, the reason being as part of the Affordable Community Environments master plan they want to is to put a day-care facility on here that supports the affordable housing that's for Covington Commons which is already built. Staff supports this request. This piece on the corner, Sandra, I need help. Yeah, thank you. This triangular piece on the corner is vacant and is unbuildable because it's small and has access issues. We believe that adding this piece to it will allow them to put a small facility on here and gain the necessary access and that comprises the bulk of -- that comprises the Affordable Community Environments proposal.

We looked at the 20-year comprehensive plan policies. This is a facility in support of affordable housing for the community. If they get the zoning to put a day-care facility on, this is I don't want to use the term an in-fill piece, but if two small pieces would be joined together to allow them to be developed, it would allow the day-care facility on commercial property which means we're getting commercial property developed. There are already public facilities to this site. It's the southern parcel is a split zoned could be considered a mapping error. It's for these reasons that we believe that Affordable -- you should recommend to the Board approval of Affordable Community Environments' recommendation.

LEIN: Any questions from members of the Commission? Is there a representative of the applicant here? Is there anyone wishing to testify for or against this? Return to the Planning Commission. Questions of staff? Comments?

BARCA: Make a **motion to approve**.

RUPLEY: **Second**.

LEIN: Is there any discussion on the motion? Could we have roll call, please.

ROLL CALL VOTE

MOSS:	AYE
BARCA:	AYE
SMITH:	AYE
RUPLEY:	AYE
DELEISSEGUES:	AYE
LEIN:	AYE

B. 2004 Dockets-(Site Specific Requests) amending the 20-Year Growth Management Comprehensive Plan:

D2001-029 (Haagen G.) The property owner is seeking to correct a mapping error to redesignate and rezone a portion of parcel 164557-000 from Urban Low (R1-5) to Community Commercial (C-3) to be consistent with the larger portion of the parcel. These parcels are located on NE 164th Avenue between NE 9th Street and NE 8th Street. Staff Contact: **Gordon Euler, (360) 397-2375, Ext. 4968**

EULER: The next docket item is Docket D2003-030, G Haagen in this case. The parcel is shown here before you. This is to correct a mapping error. This piece is located on 162nd and SE 1st. The County's records show this parcel C-3 as being in three pieces, one being the large piece that's along here, this is a piece up here that's cross-hatched is actually part of this parcel, and this piece down here to the east that's cross-hatched is actually part of this parcel. These two parcels have an R1-5 zoning on them and the request is to change the zoning to be consistent with C-3 when in fact all of these are all one parcel, so this is to correct a mapping error.

DELEISSEGUES: Gordy, is there a separation between the large parcel and the one to the north?

SMITH: A road.

EULER: There is an access road here into this development, access road here, there's also an access road here. At the present time when I was out looking at the site this one's gated so the only access is here. Those accesses would continue.

LEIN: Where was the access?

EULER: I'm sorry. This southern access is the way to get into this.

LEIN: That's the main access?

EULER: That's correct. This one up here which is, Sandra, to the, up here, up here, is an access but at this time it's gated, it's not in use. So again, this is to correct a mapping error, this is actually all one parcel.

LEIN: Are there any questions? Yes, sir.

JONES: Good evening. I'm Don Jones. I'm a member of the Board of Directors at the Cascade Park manufactured home park which is contiguous to this change and people have been asking questions and I've got a couple of them, short ones. I received this notice in the mail, we all did, and there's one posted out there, but as I read this description it doesn't at all agree with what I think you want to do, it's ambiguous. I don't know an instrument you use to record these. I didn't know if the description here has

any basis to be a record or anything or you put it on a map I guess, but this, you read this and it doesn't read at all. I came down and talked to a Mr. Gordon Euler, a very nice gentleman.

EULER: Thank you.

JONES: He remembers. He got out his maps and he showed me what it is, as you should, and now I understand what you're -- and I have no objection to that, that's great, it's all inevitable, but I kind of wondered about do you have a different description up for the record so when it goes in that's what happened?

TOWNE: The description?

BARCA: What about that description do you find disagreeable or ambiguous?

JONES: Well, it says these parcels are located NE 164th, well, and then between 8th and 9th, 8th Street and 9th Street, well, that isn't where we are. 164th continues straight up and you end up in the middle of the subdivision there. It's 162nd according to this list, but 8th and 9th Street is way up there which is really where Mr. Haagen lives, not this parcel down here. And I think it's great just to have a little community commercial, but I don't know what instrument you use so that when the deed is done, that's it.

TOWNE: No, the parcel numbers are used and the map is used.

EULER: Right. We have spoken -- I have spoken into the record and you may do, all do so as you have just done that says --

JONES: Good enough. Okay. Now the two access roads, especially the one to the south, what's the status of that roadway? It was part of the plat that was dedicated as being part of the park property. It's an approved street, curbs and the whole bit, but what happens you will be separating these two southern commercial parcels. But will it remain the roadway part of the park?

EULER: The roadway is not affected by this proposal as we spoke the other day.

JONES: Okay. Would it be available for those commercial people to use it like a street?

EULER: We would have to analyze a particular development application that might happen or might never happen. All we're doing with this application is taking that piece that was cut off which is actually according to our geographic information system not cut off, it's all part of the big piece, and changing the zoning to say that that's C-3. There's no development application that's associated with this proposal.

JONES: So that would come up if it came up with (inaudible) or an application --

EULER: That's correct.

JONES: -- for commercial or whatever they're going to do?

EULER: Or whatever. And depending on the application you would get another notice that says here's an application, here's a -- there would be a site plan review, et cetera.

JONES: Yeah. Well, it's frontal, front property, and it's very valuable and we realize that for commercial purposes. Thank you.

LEIN: Thank you, Mr. Jones. Is Paul Murray here?

MURRAY: Yeah. My name is Paul Murray and I live at 16500 SE 1st Street, Unit 149, which is in the manufactured home park there. I am also on the Board of Directors for the homeowner's association and our concern is that that piece of property could eventually turn into a hot dog stand or something that has a lot of traffic moving to it, it would have to support commercial property. The entrance has traffic problems on it now. The City of Vancouver is planning on widening that street all the way down to 192nd I think it is and I have a copy of their plot plan showing the widening of it. That's - they're going to put a left-hand turn on the road coming into the park, which we drastically need.

Aside from that, to come into that park and go into a business in that little area would be disastrous. We have a gated community that is gated when it turns dark at night, there would be people trying to come into the park roaming around the park. And I might also add that this is a senior citizen park. We have people walking around there that just don't need to be around that kind of traffic from a commercial center. That's about the size of what I have to say. Any questions?

LEIN: Thank you, Mr. Murray. Anyone else wishing to testify on this? Okay. Then we'll return this to the Planning Commission. Questions of staff on this? Comments from members of the Commission? Motion?

MOSS: I **move to approve**.

LEIN: Is there a second?

BARCA: **Second**.

LEIN: Moved and seconded to approve staff recommendation. Any other discussion?

BARCA: Gordon, if we put this all in the same designation, try and not have too much traffic go through the manufactured home park, please.

DELEISSEGUES: There wouldn't be any.

SMITH: Yeah, I really don't understand why there would be more traffic in the park, it's

a gated community.

LEIN: I think he was concerned about foot traffic, not necessarily just traffic from vehicles. Any other questions? Could we have roll call, please.

ROLL CALL VOTE

MOSS:	AYE
BARCA:	AYE
SMITH:	AYE
RUPLEY:	AYE
DELEISSEGUES:	AYE
LEIN:	AYE

B. 2004 Dockets-(Site Specific Requests) amending the 20-Year Growth Management Comprehensive Plan:

D2004-132 (Semmler) The property owner is seeking to redesignate and rezone a portion of parcel 097740-000 from Urban Medium (R-18) to Urban Low (R1-6) located at 2915 NE 99th Street. Staff Contact: **Gordon Euler, (360) 397-2375, Ext. 4968**

EULER: And I would like to say thank you for waiting. The next item is Docket D2004-132, the Semmler property. You're seeing the parcel in question here. Sandra, you'll have to help me out here. This actually goes up like all the way up to here. This is 99th Street here. This is a parcel that is split zoned. This line represents the split zoning line. North of this line is R-18 multi-family and south of this line is R1-6 single-family. The proposal of Mr. Semmler, he would like to develop this piece of the property, the southern end of it down here, he would like to take access to this property off NE 96th, put a cul-de-sac right off of here, but in order to do that he wants to put four lots, he needs to move this.

His request is to move the split zone line northward about approximately 80 feet so in essence this would be, it would be 80 fewer feet of R-18 and 80 more feet of R1-6. So the proposal is to move the split zoned line northward about 80 feet. Again with regard to the comprehensive plan there's no change in designation. This is meant to be developed as housing. This entire parcel is about 7.77 acres, I think, if I recall. And in terms of ultimately developing this lower piece, there are some issues here. This slopes, not steeply, but this slopes downhill and there are perhaps some wetlands or at least formerly wet in here at some point down to the bottom of the property, down in this little piece at the bottom here, but those are site conditions that would have to be addressed at the time of development. The proposal for Mr. Semmler again is just to move the split zoned line northward about 80 feet.

LEIN: Questions of staff?

EULER: Sorry, Mr. Chairman, staff recommends approval of the request.

LEIN: Thank you. Is there a representative of the applicant here?

NEILL: Good evening. My name is Bruce Neill of Neill Real Estate Services, 12913 NE 41st Street, Vancouver 98682. The Semmler family has owned this nearly eight acres for -- well, since 1941 and last year they were looking at as Gordon mentioned dividing the property and single-family portion of the property which is the southern approximately two and a half acres into single-family lots. The main reason was that the sons were going to build on that, those lots, their houses so that they could take care of their parents who still live on the property and take care of the property there. It was at that point in time that we became aware of the problem that was where the dividing line was between the R-18 and the R1-6 property which is just approximately 20 to 30 feet north of 96th Street which precludes us from developing single-family lots on that portion which is the logical portion of the property to come off of that to extend that property forward.

96th Street, there's no extension of that to the west as those properties further to the west are wetlands and parts of those subdivisions have been held for wetland reserve buffers and those type of things. So just a cul-de-sac there at the end of 96th Street, but to do that we had had several conversations with staff. It was concluded that the only way to do that was to go through an adjustment of that dividing line between the R-18 and the R1-6, thus our recommendation or our request to move that line. So it's pretty straightforward. Any questions anyone might have?

LEIN: Any questions of Mr. Neill?

NEILL: Thank you.

LEIN: Okay, thank you. Is Sarah Haynes still here? It doesn't look like it. Anyone else wishing to testify on this particular case? Return it to the Planning Commission. Questions?

DELEISSEGUES: It sounds reasonable to me.

LEIN: Is that a motion?

DELEISSEGUES: I **move we approve** the recommendation to approve this.

LEIN: Is there a second?

MOSS: **Second.**

LEIN: Moved and seconded. Any further discussion? Could we have roll call, please.

ROLL CALL VOTE

MOSS: AYE
BARCA: AYE
SMITH: AYE
RUPLEY: AYE
DELEISSEGUES: AYE
LEIN: AYE

DELEISSEGUES: Done deal.

RUPLEY: We're going to do 11 at 11:00.

LEIN: Number 11 at 11:00, yeah.

MOSS: Isn't this where we were going to quit?

RUPLEY: Yeah. Yeah.

LEIN: Not yet.

RUPLEY: We're going to do 11 at 11:00.

MOSS: 11 at 11:00, right.

B. 2004 Dockets-(Site Specific Requests) amending the 20-Year Growth Management Comprehensive Plan:

D2004-131 (Ki & Kyung) The property owner is seeking to correct a mapping error to redesignate parcel 189205-000 from Urban Low to Community Commercial to be consistent with the underlying zoning of (CL). The parcel is located at 10115 NE Hazel Dell Avenue Staff Contact: **Gordon Euler, (360) 397-2375, Ext. 4968**

EULER: All right. The last docket item is Docket Number D2004-131, Ki & Kyung. And they've waited very patiently and thank you for staying with us, I know it's been a long evening, appreciate your patience. They're here. The proposal is again to correct a discrepancy. If you look at the parcel here, this is Hazel, NE Hazel Dell Avenue, NE 99th Street, the Albertson's I think, and is here on the corner and there's a is it a day-care center or something that's in here. The property is correctly zoned as CL but has the wrong comprehensive plan designation, it's urban low, and the proposal is to correct the comprehensive plan discrepancy. I believe Ki & Kyung have a proposal to renovate the house or remodel the house or do something that would require the commercial designation. They've talked to Alan Boguslawski on staff and we feel this is a correction of the mapping error. And again, here's the parcel right here. It's already designated to

be commercial, there's commercial development to the south. This one makes sense to us in terms of correcting the discrepancy in the comp plan designation to match the zoning and staff recommends that this be approved.

LEIN: Any questions of Gordy?

SMITH: A question. Gees, I better not. No. Is this going to cost them some money to apply for this?

TOWNE: Apply for what?

EULER: I'm sorry?

SMITH: Apply for this exception if this is changed?

EULER: No, this is a docket request.

SMITH: This will be -- okay. Then, okay. Good.

EULER: That's correct. And we feel it's a mapping error that where we need to just align the comp zoning with the comp designation. Excuse me, with the zoning that's there.

SMITH: Good. I approve.

RUPLEY: Then make a motion.

BARCA: Is that a motion?

EULER: We're done.

SMITH: That's a **motion, I move to accept the recommendation of the staff.**

LEIN: Does the applicant want to say anything? No? You agree.

DELEISSEGUES: I **second** it.

MOSS: No. They're on a roll, it's not time to say anything.

LEIN: So your motion still handles?

SMITH: Yes.

LEIN: Okay. And second?

DELEISSEGUES: I second it. Yeah.

LEIN: Okay. Any further discussion? Roll call, please.

ROLL CALL VOTE

MOSS: AYE

BARCA: AYE

SMITH: AYE

RUPLEY: AYE

DELEISSEGUES: AYE

LEIN: AYE

LEIN: That concludes the docket items tonight. Thank you very much, Gordy, and thank you, Sandra, appreciate it. Any old news?

AUDIENCE: Would I be out of line of just making a comment. I just want to thank everybody here. I came here tonight scared to death because I live next door to this, next to the last the Semmler property, and what I found out it gives me great peace of mind, you give me great peace of mind just knowing how you people handle things. I'm retired from construction and so I've seen things from the other side. Thank you. It makes me glad that I live in this county.

RUPLEY: Thank you. All right.

BARCA: Oh, wow.

SMITH: We don't hear that very often. I got goose bumps.

TOWNE: Thank you. We can all use those comments.

LEIN: Can we have your name?

TOWNE: Will you come back and say that again to the Commissioners?

AUDIENCE: I know you're just a preliminary process, but it still just gives me great confidence. Thank you.

LEIN: Sure. Now did that get recorded?

SMITH: Did you get that down?

RUPLEY: Would you put that on first and then about the middle and then --

HOLLEY: Yeah, I'll just cut and paste it throughout the transcript.

RUPLEY: Yeah, cut and paste in about ten minutes.

LEIN: Please note the passout you got tonight for the public hearing work sessions coming up scheduled through August.

WISER: June 24th. Well, yes, you have three hearings in June.

LEIN: We have three hearings in June she thinks so.

TOWNE: You do. The 10th, the 17th and the 24th.

WISER: Right.

LEIN: Okay. Could you please check your calendars and get back to Sonja just in case. They're trying to make up for the last three months.

TOWNE: There won't be as many as tonight. Tonight was the most, the most dockets.

BARCA: I can't make the 24th.

DELEISSEGUES: Sandra, did you notice how much trouble you had with this, with us, how easy Gordy did?

TOWNE: Did you see what he got to do versus what I did.

MABREY: I hope you learned something by watching Gordy.

LEIN: Yeah, take some notes.

TOWNE: You guys.

OLD BUSINESS

None.

NEW BUSINESS

None.

COMMENTS FROM MEMBERS OF THE PLANNING COMMISSION

None.

ADJOURNMENT

The hearing adjourned at 11:15 p.m.

All proceedings of tonight's hearing are filed in Clark County Community Development/Long Range Planning. The minutes can also be viewed on the Clark County Web Page at www.co.clark.wa.us/ComDev/LongRange/LRP_PCagenda.asp

Vaughn Lein, Chair

Date

Minutes Transcribed by:

Cindy Holley, Court Reporter

Sonja Wiser, Administrative Assistant

SWmin 05-20-2004

LEIN: Meeting adjourned. Thank you.